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इस खण्ड में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (III)
PART II—Section 3—Sub-section (III)

केन्द्रीय अधिकारियों (संघ राज्य क्षेत्र प्रशासन को छोड़कर) द्वारा जारी किए गए आदेश और अधिसूचनाएं
Orders and Notifications issued by Central Authorities (other than Administrations of Union
Territories)

भारत निर्वाचन आयोग

आदेश

नई दिल्ली, 7 दिसम्बर, 1992

आ.प्र. 142.-निर्वाचन आयोग का समाधान हो गया है कि नीचे की मारणी के स्तम्भ (2) में यथा विनिर्दिष्ट उत्तर प्रदेश विधान सभा के साधारण निर्वाचन के लिए जो स्तम्भ (3) में विनिर्दिष्ट निर्वाचन क्षेत्र से हुआ है, स्तम्भ (4) में उनके सामने विनिर्दिष्ट निर्वाचन लड़ने वाला प्रत्येक अभ्यर्थी, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्वीन बनाए गए नियमों द्वारा अपेक्षित उक्त मारणी के स्तम्भ (5) में यथा दर्शित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहा है।

और उक्त अभ्यर्थियों ने सम्पत्ति सूचना दिए जाने पर भी उक्त असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास उक्त असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है,

अतः अब, निर्वाचन आयोग उक्त अधिनियम की धारा 10-क के अनुसरण में नीचे की मारणी के स्तम्भ (4) में विनिर्दिष्ट व्यक्तियों को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

मारणी

क्र.सं.	निर्वाचन का विवरण	निर्वाचन क्षेत्र की क्र.सं. और नाम	निर्वाचन लड़ने वाले अभ्यर्थी का नाम और पता	निरहित होने का कारण
1	2	3	4	5
1.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	3-देव प्रयाग	श्री ललित मोहन, द्वारा नेगी टेलरिंग हाउस, पोरवाल, दिहरी गढ़वाल, (उ.प्र.)	निर्वाचन आयोग का कोई भी लेखा दाखिल करने में असफल रहे।

1	2	3	4	5
2.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	36-स्वार टांडा	श्री अनवर खां, ग्राम खेरखाना, डा. सरकडा खास, महु. व जिला मुगदाबाव (उ.प्र.)	निर्वाचन आयोग का कोई भी लेखा वांछित करने में असफल रहे
3.	-वही-	70-लखीमपुर	श्री अनिल कुमार, मोहल्ला-तई बस्ती गरना, पेट्टील पम्प, सीतापुर रोड, जिला खीरी, उ.प्र.	-वही-
4.	-वही-	99-मनिशूबाद	मीना कुमारी, पो. तफियापीर जलील बक्षिण, कैमरबाग, लखनऊ, (उ.प्र.)	-वही-
5.	-वही-	-वही-	श्री वासु लाल, ग्राम हरचन्दपुर कनौरा, पो. मानिकपुर, लखनऊ (उ.प्र.)	-वही-
6.	-वही-	100-महोना	श्री कृष्ण उफ किशन लाल, मेंहदी टोला, अलीगंज, लखनऊ (उ.प्र.)	-वही-
7.	-वही-	-वही-	मधुबाया, 555 सेक्टर जी, अलीगंज, लखनऊ, उ.प्र.	-वही-
8.	-वही-	-वही-	श्री इस्लाम, 178-उजीरबाब, गोमतीनगर, लखनऊ (उ.प्र.)	-वही-
9.	-वही-	-वही-	श्री गिरीश पाण्डे, 41/557, डा. सुफल प्रहमद मार्ग, नरही, लखनऊ, उ.प्र.	-वही-
10.	-वही-	-वही-	श्री ध्यारे, ग्राम खारी, पो. गोमतीनगर, लखनऊ, उ.प्र.	-वही-
11.	-वही-	-वही-	श्री नुबेश, 108-बाहसी की मस्जिद, लखनऊ, उ.प्र.	-वही-
12.	-वही-	-वही-	श्री रामसागर, ग्राम सावेहनगर, मधुबा, लखनऊ, उ.प्र.	-वही-
13.	-वही-	-वही-	श्री संजय निबारी, 61-महानगर, लखनऊ, (उ.प्र.)	-वही-
14.	-वही-	-वही-	श्री मरघू सरन, 66/13, छितवापुर, खाम. लखनऊ, उ.प्र.	-वही-
15.	-वही-	-वही-	श्री मनजुव, गन्जीपुर सईदुल निसा, लखनऊ, उ.प्र.	-वही-
16.	-वही-	-वही-	श्री बृज किशोर, ग्राम सीबा, पो. बेहटा, लखनऊ, उ.प्र.	-वही-
17.	-वही-	101-लखनऊ पूर्व	श्री गोपाल जी, गोपाल प्रिंटिंग प्रेस, बसदीर बाली गद्दी, अमीनाबाव, लखनऊ, (उ.प्र.)	-वही-
18.	-वही-	-वही-	श्री नातिन दूबैत, 172/153, हाली लाल खां बाजार, आऊलाय, लखनऊ, उ.प्र.	-वही-

1	2	3	4	5
19	उत्तर प्रदेश विधान सभा के लिए माधवारण निर्वाचन, 1991।	101-लखनऊ पूर्व	श्री हुसैन, 53, गुरुखाना मकबूलगंज, लखनऊ, उ. प्र.	निर्वाचन व्यर्थों का कोई भी लेखा वाञ्छित करने में असफल रहे।
20.	-वही-	-वही-	श्री अनिल कुमार, 41/138, नरही, लखनऊ, (उ. प्र.)	-वही-
21.	-वही-	-वही-	श्री अरविन्द कुमार, 21/336, इन्दिरा नगर कालोनी, लखनऊ, उ. प्र.	-वही-
22.	-वही-	-वही-	श्री उमेश कुमार, 496/82-क, छोटा चांदगंज, निरालानगर, लखनऊ, (उ. प्र.)	-वही-
23.	-वही-	-वही-	श्री अमरजीत सिंह पट्टवा, 148, लकड़मंडी बाली गली, झालीगंज, लखनऊ, उ. प्र.	-वही-
24.	-वही-	-वही-	श्री बलीप, चान्दपुर (बैरिया), बनिया (उ. प्र.)	-वही-
25.	-वही-	102-लखनऊ पश्चिम	श्री अनिल कुमार श्रीवास्तव, 19/5, बिष्णुपुरी कालोनी, लखनऊ, उ. प्र.	-वही-
26.	-वही-	-वही-	श्री मो. इमहाक फारूकी, टफसाल किरंगी महल, गली पार्सी, म. नं. 23, लखनऊ, उ. प्र.	-वही-
27.	-वही-	-वही-	श्री साजदा परवीन, 621, शेखपुरा कालोनी, श्रीवास्तव लखनऊ (उ. प्र.)	-वही-
28.	-वही-	-वही-	श्री राजेश कुमार माथुर, 139/52, नहमीनगंज, लखनऊ, उ. प्र.	-वही-
29.	-वही-	-वही-	श्री अश्विन कादर, 292/163 बिकटेशिया स्ट्रीट, लखनऊ (उ. प्र.)	-वही-
30.	-वही-	-वही-	श्री अली मेहंदा, मार्दिक अली, 337/157 मैसूर नगर, लखनऊ, उ. प्र.	-वही-
31.	-वही-	-वही-	श्री अमरकान्त हसन (तस्मार), 292/122 गुलमीदाम मार्ग, लखनऊ, उ. प्र.	-वही-
32.	-वही-	-वही-	श्री प्रतीक कुमार पाण्डे, 315/121 बंशीधर ब्रिटिश, बान, महानगरयन चौक, लखनऊ (उ. प्र.)	-वही-
33.	-वही-	-वही-	श्री प्रेम नगर, 448/116 नगरिया ठाकुरगंज, मनगुरु महाय निगम रोड, लखनऊ, उ. प्र.	-वही-
34.	-वही-	-वही-	श्री मंगल मेन, 315/152, बान, महानगरयन चौक, लखनऊ, उ. प्र.	-वही-
35.	-वही-	-वही-	श्रीमती रोशन, गुल गुलाम हुसैन, बीक लखनऊ, उ. प्र.	-वही-

1	2	3	4	5
36.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन 1991	102-लखनऊ पश्चिम	श्री मो. शफाक 293/149, पुराना हैदरगंज, लखनऊ, उ.प्र.	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे।
37.	-वही-	-वही-	श्री मृणाल महमद, सी-401/36, तकिया हाजीनगर, लखनऊ, उ.प्र.	-वही-
38.	-वही-	-वही-	श्री गान्धिकिरोज, 536/203-डी, मदेहगंज, सीतापुर रोड, लखनऊ, उ.प्र.	-वही-
39.	-वही-	-वही-	श्री प्रार. एन. मिश्रा, कटरा शुबायार खां, ममावतगंज, लखनऊ, उ.प्र.	-वही-
40.	-वही-	-वही-	श्रीमती मनोरमा, 473/60 ए. रूपपुर खबरा रामलीला मंडान रोड, लखनऊ, उ.प्र.	-वही-
41.	-वही-	-वही-	श्री राजू, कुतुबपुरा धारा मणिव के पास, लखनऊ, उ.प्र.	-वही-
42.	-वही-	103-लखनऊ मध्य	श्री विजय कुमार उर्फ विनय द्विवेदी, 77-बौधरी गेटेरा, लखनऊ, उ.प्र.	-वही-
43.	-वही-	-वही-	श्री ओम प्रकाश, 65, सुभाष नगर, लखनऊ, उ.प्र.	-वही-
44.	-वही-	-वही-	श्री ओम प्रकाश चौरसिया, 33, हाता फकीर मोहम्मद, पुखता, लखनऊ, उ.प्र.	-वही-
45.	-वही-	-वही-	श्री रफीक, आलम नगर रोड, लखनऊ, उ.प्र.	-वही-
46.	-वही-	-वही-	श्री रमेश कान्त, गोन नगर मईद मंजिल, म.म. 32, रकावगंज, लखनऊ, उ.प्र.	-वही-
47.	-वही-	-वही-	श्री राम सिंह, 256/353, खजुहा, लखनऊ, उ.प्र.	-वही-
48.	-वही-	-वही-	श्री अनूप, 85, महेश प्रसाद स्ट्रीट, मौलवीगंज, लखनऊ, उ.प्र.	-वही-
49.	-वही-	-वही-	श्री मोहम्मद नसीम, 143, गोलागंज, लखनऊ, उ.प्र.	-वही-
50.	-वही-	-वही-	श्री सै. मिहन्दर अब्बास रिजवी, गन्ने बागो गली अमीनाबाद, लखनऊ, उ.प्र.	-वही-
51.	-वही-	104-लखनऊ कौन्टनमेंट	श्री महिमा सिंह, 67/13, लालकुशां, हुसनगंज, लखनऊ, उ.प्र.	-वही-

1	2	3	4	5
52.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	104-लखनऊ कौन्सिलमेंट	श्री राधेण, 559/22, ब्रह्मनगर आलमबाग, लखनऊ, उ.प्र.	निर्गुण व्यर्थों का कीर्ति भी चेजा दाखिल करने में असमर्थ रहे।
53.	-वही-	-वही-	श्री राम किशोर, बलदेव खेड़ा मानक नगर, लखनऊ, उ.प्र.	-वही-
54.	-वही-	-वही-	श्रीमती चरनजीत कौर, फस्ट-138, वी.बी.ओ. कानोनी बस स्टोरी, आ.वा. लखनऊ, उ.प्र.	-वही-
55.	-वही-	-वही-	श्री जान प्रकाश, 559 क-3, बहादुर खेड़ा, आलमबाग, लखनऊ उ.प्र.	-वही-
56.	-वही-	105-सरोजनी नगर	श्री राम औतार, सरसवां अर्जुनगंज, लखनऊ, उ.प्र.	-वही-
57.	-वही-	-वही-	श्री शिव प्रसाद कुपमिज, पोस्ट काकोरी, अमेरिका सलेमपुर, लखनऊ, उ.प्र.	-वही-
58.	-वही-	-वही-	श्री सत्य नारायण, चहई का पुरवा, पो. अर्जुनगंज, लखनऊ, उ.प्र.	-वही-
59.	-वही-	-वही-	श्री लल्लू, मेहदीबाग खेड़ा, आलमनगर, जिला लखनऊ, उ.प्र.	-वही-
60.	-वही-	-वही-	श्री सुरेन्द्र सिंह, 25, सहानगर लखनऊ, उ.प्र.	-वही-
61.	-वही-	106-मोहनलाल गंज (अ.जा.)	श्री पालेराम, ग्राम-कबीरपुर, पो.-बक्काम, लखनऊ, उ.प्र.	-वही-
62.	-वही-	-वही-	श्री सुभाष ग्राम-भोदरी, माजरा मरुई पो.-जैसी खेड़ा, लखनऊ, उ.प्र.	-वही-
63.	-वही-	-वही-	श्री हरभजन, 551/ख/92 कुरियासी, सरदारी खेड़ा, पो.-आलमबाग, लखनऊ, उत्तर प्रदेश	-वही-
64.	-वही-	122-गोरीगंज	श्री दयाराम, ग्राम-सागीपुर, पो.-मेटा, गुलानपुर, उ.प्र.	-वही-
65.	-वही-	-वही-	श्री बट्टी प्रसाद, ग्राम-दुआपुर, खर्ख, पो.-गोरीगंज जिला-गुलानपुर, उ.प्र.	-वही-
66.	-वही-	-वही-	राम लखन ग्राम-बोहरी, पो.-गोरीगंज, गुलानपुर, उ.प्र.	-वही-
67.	-वही-	-वही-	आमनाल ग्राम-पैरोपुर, पो.-गोरीगंज, उत्तर प्रदेश	-वही-
68.	-वही-	-वही-	शिव नाथ, ग्राम-णाहपुर सरैया, पो.-णाहपुर, उत्तर प्रदेश	-वही-

1	2	3	4	5
69.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन 1991	122-गौरीगंज	श्री मां. मर्दन ग्राम व पो.-पेर्धा मुल्तानपुर, उ. प्र.	निर्वाचित व्यक्तियों का कोई भी लेखा दाखिल करने में प्रसफल रहे।
70.	-वही-	-वही-	श्री सुरेन्द्र बहादुर सिंह ग्राम-बिगुनवापुर, पो.-गौरीगंज, मुल्तानपुर, उ. प्र.	-वही-
71.	-वही-	123-जगदीशपुर (प्र. जा.)	श्री राम आस्तिकारी ई-3186, राजाजी पुरम कायोनी, खखनऊ, उ. प्र.	-वही-
72.	-वही-	-वही-	श्री अम्बर ग्राम-पिठुल्ला, पो. जगेशगंज, जिला-मुल्तानपुर, उ. प्र.	-वही-
73.	-वही-	-वही-	श्री लक्ष्मीनारायण ग्राम-मुबारकपुर, पो.-जगदीश पुर, मुल्तानपुर, उ. प्र.	-वही-
74.	-वही-	124-सौली	श्री राम कुमार मिश्रा ग्राम-जैतापुर, पो.-धम्मौर, मुल्तानपुर, उ. प्रदेश	-वही-
75.	-वही-	-वही-	श्री शिव शंकर ग्राम-बहादुरपुर, पो.-प्रतापपुर, जिला-मुल्तानपुर, उ. प्र.	-वही-
76.	-वही-	125-मुल्तानपुर	श्री रमेश प्रताप ग्राम व पो.-दाहपुर, मुल्तानपुर, उ. प्र.	-वही-
77.	-वही-	-वही-	श्री राजेन्द्र ग्राम व पो.-भण्डारा, मुल्तानपुर, उ. प्र.	-वही-
78.	-वही-	-वही-	श्री सजीर ग्राम-परऊपुर, पो. व जिला-मुल्तानपुर, उ. प्र.	-वही-
79.	-वही-	-वही-	श्री हर्षाव. ग्राम-छत्तीना, पो. व जिला-मुल्तानपुर, उ. प्रदेश	-वही-
80.	-वही-	-वही-	श्री हियात ग्राम-परऊपुर, पो. व जिला-मुल्तानपुर, उ. प्र.	-वही-
81.	-वही-	126-यज्ञसिंहपुर	श्री अखिलेश, ग्राम-मोकेडाह, पो.-भबई, मुल्तानपुर, उ. प्र.	-वही-
82.	-वही-	-वही-	श्री अमर बहादुर सिंह ग्राम-आशापुर (कदबौर) फारमपट्टी, मुल्तानपुर, उ. प्र.	-वही-
83.	-वही-	-वही-	श्री जसुना ग्राम-व पो.-गौरा, मुल्तानपुर, उ. प्र.	-वही-
84.	-वही-	-वही-	श्री सुरेन्द्र प्रताप ग्राम व पो.-गौरा, मुल्तानपुर, उ. प्र.	-वही-
85.	-वही-	-वही-	श्री मथुरा प्रसाद ग्राम-हनुमाना, पो.-गौरा, मुल्तानपुर, उ. प्र.	-वही-

1	2	3	4	5
86. उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	126-जयसिंहपुर	श्री सुनें, ग्राम ब पो.-डीहदगपुर, मुल्तानपुर, उ. प्र.	निर्वाचन व्यर्थों का कोई भी लेखा दाखिल करने में असफल रहे।	
87. -बही-	-बही-	श्री राम आनरे, ग्राम ब पो.-कैथाबा, मुल्तानपुर उ. प्र.	-बही-	
88. -बही-	127-बांदा	श्री हनुमान प्रहसाद मो.-अंराबाद, जिला-मुल्तानपुर, उ. प्र.	-बही-	
89. -बही-	-बही-	श्री इन्द्रमणि, ग्राम-परसीपुर, पो.-साठबपुर, मुल्तानपुर, उ. प्र.	-बही-	
90. -बही-	-बही-	श्री कृपाशंकर, ग्राम ब पो.-रामगढ़ मुल्तानपुर, उ. प्र.	-बही-	
91. -बही-	-बही-	श्री तेज बहादुर, ग्राम ब पो.-मकसूत, मुल्तानपुर, उ. प्र.	-बही-	
92. -बही-	-बही-	श्री राजेन्द्र प्रसाद, ग्राम-सूनीमणि पट्टा, पो.-महाराणी पश्चिम, जिला-मुल्तानपुर, उ. प्र.	-बही-	
93. -बही-	-बही-	श्री राम शिरोमणि ग्राम-गाहपुर, पो. देवाक, मुल्तानपुर, उ. प्र.	-बही-	
94. -बही-	129-कटेहरा	श्री छोटू राम, ग्राम ब पो.-साचिकपुर, कैथाबा, उ. प्र.	-बही-	
95. -बही-	-बही-	श्री जहीर, ग्राम-उनिशरबाजार, पो.-लाहपुर, कैथाबा, उ. प्र.	-बही-	
96. -बही-	-बही-	श्री/श्री मिथिलेश कुमार, ग्राम-बिहारी मारीपुर, महेश्वरगंज, कैथाबा, उ. प्र.	-बही-	
97. -बही-	-बही-	श्री रवीन्द्र, ग्राम-कदतपुर, पो.-कृष्णा चिन्ता, कैथाबा, उ. प्र.	-बही-	
98. -बही-	-बही-	श्री रामबल्लभ यादव, ग्राम-ब पो. अमरवा, कैथाबा, उ. प्र.	-बही-	
99. -बही-	-बही-	श्री श्रीकृष्ण, ग्राम-गमापुर, पो.-अंरारापुर, कैथाबा, उ. प्र.	-बही-	
100. -बही-	130-अकबरपुर	श्री राम आनरे, ग्राम-बाहुरपुर हाजीपुर, पो.-मावीपुर, कैथाबा उ. प्र.	-बही-	

1	2	3	4	5
101. उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	130-अकबरपुर	श्री गंमसूनाथ पुत्र, श्री गोविन्द बराल, गहजावपुर, अकबरपुर, फैजाबाद, उ.प्र.	निर्वाचित व्यक्तियों का कोई भी लेखा शामिल करने में समफल रहे ।	भी
102. -वही-	131-जलालपुर	श्री जगजिन्द, ग्राम-परम कटुई, पो.-किछोछा, फैजाबाद, उ. प्र.	-वही-	
103. -वही-	-वही-	श्री जगदीश, ग्राम-भेखूपुर, पो.-अशरफपुर, मजगवा, फैजाबाद, उ. प्र.	-वही-	
104. -वही-	-वही-	श्री बरका राम, ग्राम-जलालपुर, मसीहा, पो -कटुई जारिम, फैजाबाद, उ. प्र.	-वही-	
105. -वही-	-वही-	श्री शेखाला, ग्राम व पो.अशरफपुर मूजा, फैजाबाद उ.प्र.	-वही-	
106. -वही-	-वही-	श्री योगेन्द्र प्रताप मिश्रा, उर्फ बरकू मिश्रा, ग्राम-मुल्तानपुर पो.-मुल्तानपुर, फैजाबाद, उ. प्र.	-वही-	
107. -वही-	-वही-	श्री बंशी, ग्राम-मुल्तान, पो.-बडेपुर फैजाबाद, उ. प्र.	-वही-	
108. -वही-	-वही-	श्री शिवपूजन, ग्राम व पो. --हमबर, फैजाबाद उ. प्र.	-वही-	
109. --वही--	--वही--	श्री सत्यजीव, ग्राम--महुबल, पो.--टंडवा मौलार्ड, फैजाबाद, उ.प्र.	--वही--	
110. --वही--	132--जहांगीर गंज (प्र. जा.)	श्री परदेवी, ग्राम--हरसम्हार, पो.--घारिपपुर, फैजाबाद उ. प्र.	--वही--	
111. --वही--	--वही--	श्री सत्यदेव, ग्राम व पो.-- बरका, जिला-- आजमगढ़, उ.प्र.	--वही--	
112. --वही--	--वही--	श्री सुखू प्रसाद, ग्राम व पो.--मुल्तानपुर, फैजाबाद, उ.प्र.	--वही--	
113. --वही--	133--टांडा	श्री छोटे लाल, ग्राम व पो.--रामपुर सकरवारी, फैजाबाद, उ.प्र.	--वही--	
114. --वही--	--वही--	श्री जैराम, ग्राम--विपरी बिणूतपुर, पो.--हजलापुर, फैजाबाद, उ. प्र.	--वही--	
115. --वही--	--वही--	श्री प्रदीप कुमार, मू.--छज्जापुर टाण्डा, फैजाबाद, उ.प्र.	--वही--	
116. --वही--	--वही--	श्री मंगर, मू.--सलहपुर रजीरा, पो.--सकहूमनगर, फैजाबाद, उ.प्र.	--वही--	

1	2	3	4	5
117.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन 1991	133---टीडा	श्री राममूरत, ग्राम---भिनावा, पो.---बिहवा, दौलतपुर, फैजाबाद, उ.प्र.	निर्वाचन व्ययों की कोई भी लेखा दाखिल करते में असफल रहे
118.	--वही--	--वही--	श्री शिवपूजन वर्मा, ग्राम मसेना मिर्जापुर, पो.---रामनगर, फैजाबाद, उ.प्र.	--वही--
119.	--वही--	--वही--	श्री सुरेश, ग्राम---करीमवट्टी, पो.---करीमपुर कला, फैजाबाद, उ.प्र.	--वही--
120.	--वही--	134---मयोध्या	श्री जयशंकर पांडे, पुल्ल बट्टी, ग्राम---हाजीपुर बरसेंही, फैजाबाद, उ.प्र.	--वही--
121.	--वही--	--वही--	श्री महेन्द्र प्रताप मिश्र, महापुर सरेया, फैजाबाद, उ.प्र.	--वही--
122.	--वही--	135---बीकापुर	श्री अगश्राध, सोनखरी, फैजाबाद, उ.प्र.	--वही--
123.	--वही--	--वही--	श्री मी. जलील उफ जल्लू भीया, खेमीपुर तिघियावा, फैजाबाद, उ.प्र.	--वही--
124.	--वही--	--वही--	श्री भरत कुमार सिंह, रामपुर मगत, फैजाबाद, उ.प्र.	--वही--
125.	--वही--	--वही--	श्री राम भवध यादव, बछारामपुर, फैजाबाद, उ.प्र.	--वही--
126.	--वही--	--वही--	श्री रामसरन कुंभे, मनऊपुर, फैजाबाद, उ.प्र.	--वही--
127.	--वही--	--वही--	श्री शमशेर सिंह, बाड़ीपुर, फैजाबाद, उ.प्र.	--वही--
128.	--वही--	136---मिल्कीपुर	श्री देव राण, ग्राम---कटैयामाफी, पो.---धरीली, फैजाबाद, उ.प्र.	--वही--
129.	--वही--	--वही--	श्री बीर सिंह, 803, खवागपुर, फैजाबाद, उ.प्र.	--वही--
130.	--वही--	138---रुझौली	श्री अशोक कुमार, मो.---कटग, कस्बा व पो.---रुझौली बाराबंकी, उ.प्र.	--वही-- --वही--
131.	--वही--	--वही--	श्री जगुल किशोर, ग्राम पूरे अमेठियापुरे छक्कल, पो.---उधौली, बाराबंकी, उ.प्र.	--वही--
132.	--वही--	--वही--	श्री रहलादी, ग्राम व पो.---माथानेवादा, बाराबंकी, उ.प्र.	--वही--
133.	--वही--	--वही--	श्री रामकरन सिंह, ग्राम---नागबोडीह, पो.---देववूत, बाराबंकी, उ.प्र.	--वही--
134.	--वही--	139---वरियाबाद	श्री अशुल हर्माद, ग्राम व पो.---गैलारायगंज, बाराबंकी, उ.प्र.	--वही--
135.	--वही--	--वही--	श्री तेज नारायन, ग्राम---डेकशा मजरे कमोली, पो.---कमोली, बाराबंकी, उ.प्र.	--वही--
136.	--वही--	--वही--	श्री औसाफ अहमद, ग्राम---बमरौली, पो.---अलियाबाद, बाराबंकी, उ.प्र.	--वही--

1	2	3	4	5
127.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	140—सिद्धौर (अ. जा.)	श्री रामचन्द्र, ग्राम—छतौली, पो.—कोठी, बाराबंकी, उ.प्र.	निर्वाचन व्यर्थों का कोई भी लेखा दाखिल करने में असफल रहे।
138.	—वही—	—वही—	श्री मुलसी राम, ग्राम—राजेपुर, पो.—बोरधिया, बाराबंकी, उ.प्र.	—वही—
139.	—वही—	141—हैदरगढ़	श्री बशीरुल हसन सी/89, बेगमगंज, साराबगी, बाराबंकी, उ.प्र.	—वही—
140.	—वही—	—वही—	श्री ज्वाला, ग्राम—मुलहदेरपुर, पो.—हूडाहा, बाराबंकी, उ.प्र.	—वही—
141.	—वही—	142—मसौली	श्रीता श्रीवास्तव, ग्राम—बङ्गागाँव, बाराबंकी, पता : 249/112, माया बेगमगंज, लखनऊ उ.प्र.	—वही—
142.	—वही—	142—मसौली	केला, ग्राम—धीरहरा, नवाबगंज, बाराबंकी, उ.प्र.	—वही—
143.	—वही—	—वही—	श्री बिनू सागर, ग्राम—बन्वतपुरवा, नसीर, बाराबंकी, उ.प्र.	—वही—
144.	—वही—	—वही—	श्री नवल किशोर, ग्राम—सरसन्डा, पो.—बाहाजपुर, बाराबंकी, उ.प्र.	—वही—
145.	—वही—	—वही—	श्री अलीमूद्दीन, ग्राम ब.पो.—प्रहमवपुर, बाराबंकी, उ.प्र.	—वही—
146.	—वही—	—वही—	श्री दिलीप कुमार, ग्राम—दाऊदपुर, पो.—उखड़ी, बाराबंकी, उ.प्र.	—वही—
147.	—वही—	—वही—	श्री विजय कुमार, ग्राम—मुरतौल, पो.—सादामऊ, बाराबंकी, उ.प्र.	—वही—
148.	—वही—	—वही—	श्री हुकुम सिंह, ग्राम—सादामऊ, पो.—तबेला, फरसन्डा, बाराबंकी, उ.प्र.	—वही—
149.	—वही—	143—नवाबगंज	श्री बिलाल, 245—फटरा, बाराबंकी, उ.प्र.	—वही—
150.	—वही—	—वही—	श्री बच्चू लाल, खिजिरपुर इनायतपुर, बाराबंकी, उ.प्र.	—वही—
151.	—वही—	145—रामनगर	श्री प्रतापनारायण, मोहण्डवा, भिटौली, बाराबंकी, उ.प्र.	—वही—
152.	—वही—	146—केसरगंज	श्री नाट्ट, ग्राम—बम्मेरा, पो.—जरबलरोड, बहराइच, उ.प्र.	—वही—
153.	—वही—	—वही—	श्री मधुरा प्रसाद ग्राम—इतिशामसपुर, पो.—केसरगंज, बहराइच, उ.प्र.	—वही—
154.	—वही—	—वही—	श्री मिज्जन, ग्राम—कटौला, पो.—रानीगंज, बहराइच, उ.प्र.	—वही—

1	2	3	4	5
155.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	148—महसी	श्री वेद प्रकाश 198—सयागंज, बहराइच, उ.प्र.	निर्वाचन व्यर्थों का कोई भी लेखा वास्तव करने में असफल रहे।
156.	—वही—	—वही—	श्री गोविन्द प्रसाद, ग्राम न पो —रायगंज, बहराइच, उ.प्र.	—वही—
157.	—वही—	149—नानपारा	श्री अलहरहुसैन मोहल्ला—बड़ीहाट, पोस्ट व जिला—बहराइच, उत्तर प्रदेश	—वही—
158.	—वही—	—वही—	श्री शंकर लाल, मो.—जुबलीगंज, पो.—नानपारा, बहराइच, उत्तर प्रदेश	—वही—
159.	—वही—	—वही—	श्री हैबर हुसैन मो.—मिरासी टोला; पो.—नानपारा, बहराइच, उत्तर प्रदेश	—वही—
160.	—वही—	150—बर्वा (म.जा.)	श्री सीताराम, ग्राम—खलकावा, पो.—तिवारीगंज, बहराइच, उत्तर प्रदेश	—वही—
161.	—वही—	—वही—	श्री जोगीराम शर्मा, ग्राम—बदौरा, पो.—सिटकहना, जिला—बहराइच, उत्तर प्रदेश	—वही—
162.	—वही—	—वही—	श्रीमती शर्मा देवी, उर्फ लक्ष्मीदेवी सोनकर, पोस्ट—बाबागंज, जिला—बहराइच, उत्तर प्रदेश।	—वही—
163.	—वही—	1151—भिनगा	श्री रामजी यादव, ग्राम—हुसैनपुर खुरहरी, पो.—सोनवा, बहराइच, उत्तर प्रदेश	—वही—
164.	—वही—	—वही—	श्री कौशल कुमार, पो. व कस्बा—भिनगा, बहराइच, उत्तर प्रदेश	—वही—
165.	—वही—	152—बहराइच	श्री इलियास मोह.—बड़ीहाट, बहराइच, उत्तर प्रदेश	—वही—
166.	—वही—	—वही—	श्री फरहतउल्लाहखां, मोह.—काजीपुरा, बहराइच, उत्तर प्रदेश	—वही—
167.	—वही—	—वही—	श्री रहमत, मोहल्ला—बशीरागंज, गहर व जिला—बहराइच, उत्तर प्रदेश	—वही—
168.	—वही—	—वही—	श्री रामराजी यादव, ग्राम—हुसैनपुर खुरहरी, पो.—सोनवा, जिला—बहराइच उत्तर प्रदेश	—वही—
169.	—वही—	153—इकोना (म.जा.)	श्री मुनेश्वर ग्राम—बसभरिया पुरैना पो.—रामपुरखेड़ा बहराइच उत्तर प्रदेश	—वही—
170.	—वही—	—वही—	श्री राम उजागर ग्राम—बेबोरा बाजार पो.—सिसईअंगल जिला—गोण्डा उत्तर प्रदेश।	—वही—
171.	—वही—	154—गैसई	मो. खलील खां ग्राम—सोनपुर संग्रामपुर, पो.—मनकापुर, जिला—गोण्डा, उत्तर प्रदेश।	—वही—

1	2	3	4	5
172.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	154-गैसई	श्री कीरेन्द्र प्रसाव, ग्राम-तुलदिनपुर डीठ, पो.-सोनपुर, जिला-गोण्डा, उत्तर प्रदेश।	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे
173.	—वही—	—वही—	श्री रासिद रफीक, ग्राम व पो.-गैसई, जिला-गोण्डा, उत्तर प्रदेश।	—वही—
174.	—वही—	155-तुलसीपुर	श्री अनिल सिंह, ग्राम व पो.-बैलहा, जनपद-गोण्डा, उत्तर प्रदेश।	—वही—
175.	—वही—	—वही—	श्री चरणजीत पाण्डेय, मो.-भगवतीगंज, बलरामपुर, जनपद-गोण्डा, उत्तर प्रदेश।	—वही—
176.	—वही—	—वही—	श्री जय भगवान उर्फ जय प्रकाश बंसल, मो.-गोविन्द बाग, पो.-बलरामपुर, गोण्डा, उत्तर प्रदेश।	—वही—
177.	—वही—	—वही—	श्री राम उजागर, ग्राम-हंसुबा डोल, पो.-जबदहा, जिला-गोण्डा, उत्तर प्रदेश।	—वही—
178.	—वही—	—वही—	श्री अकील अहमद खां, मो.-पुरवा नई बाजार तुलसीपुर डा.-तुलसीपुर, जिला-गोण्डा, उत्तर प्रदेश।	—वही—
179.	—वही—	—वही—	श्री भृगुनाथ मिश्रा, उर्फ मुन्तस, ग्राम-सनकरी बनकरवा, जनपद-गोण्डा, उत्तर प्रदेश।	—वही—
180.	—वही—	—वही—	श्री सुशील कुमार, ग्राम-महादेव जमुनी, पो.-घरमपुर, तहसील-तुलसीपुर, जिला-गोण्डा, उत्तर प्रदेश।	—वही—
181.	—वही—	—वही—	श्री ध्रुव सिंह, ग्राम-भगवानपुर, पो.-नौकिनिमा, जिला-गोण्डा, उत्तर प्रदेश।	—वही—
182.	—वही—	—वही—	श्री प्रेम नारायण, ग्राम व पो.-घरमपुर, तहसील-तुलसीपुर, गोण्डा, उत्तर प्रदेश।	—वही—
183.	—वही—	—वही—	श्री मंगल प्रसाव, ग्राम-भगवानपुर, पो.-मुजेहनी, जिला-गोण्डा, उत्तर प्रदेश।	—वही—
184.	—वही—	—वही—	श्री मनोज कुमार सिंह, ग्राम-नवानगर, पो.-चौहतर कलार, जिला-गोण्डा, उत्तर प्रदेश।	—वही—
185.	—वही—	—वही—	श्री महमूद, ग्राम-गुलरिहा, पो.-बवलपुर, जिला-गोण्डा, उत्तर प्रदेश।	—वही—
186.	—वही—	—वही—	श्री प्रियाम कुमार, ग्राम व पो.-रामपुर बन घुसरा, जिला-गोण्डा, उत्तर प्रदेश।	—वही—
187.	—वही—	—वही—	श्री सुरेश कुमार सिंह, ग्राम-मुजहनी, जनपद-गोण्डा, उत्तर प्रदेश।	—वही—
188.	—वही—	157-उत्तरीला	श्री ओम प्रकाश, ग्राम व पो.-विशुनपुर टन टनवा, जिला-गोण्डा, उत्तर प्रदेश।	—वही—
189.	—वही—	—वही—	श्री जमीनूररहमान, ग्राम-जगदेवा, पो.-धमरूपुर, उत्तरीला, गोण्डा, उत्तर प्रदेश।	—वही—

1	2	2	4	5
190. उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	158—साबुल्लानगर	श्री प्रताप सिंह, सोनबरसा (भरवा), पो.—बबया, फरीद खाँ गोण्डा।	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे।	
191. —वही—	160—मुजेहना	श्री राजेन्द्र प्रसाद, ग्राम—भम्हड़ा, पो.—पहड़ी कृपाल, गोण्डा, उत्तर प्रदेश।	—वही—	
192. —वही—	—वही—	श्री रामपाल सिंह, मो.—आर्यनगर, पो.—उतरीला, गोण्डा, उ. प्र.	—वही—	
193. —वही—	161—गोण्डा	श्री रहीमुद्दीन उर्फ इम्में, मो.—इमामबाड़ा, जिला—गोण्डा, उत्तर प्रदेश।	—वही—	
194. —वही—	—वही—	श्री राम फेर, ग्राम व पो.—बनवरिया, जिला—गोण्डा, उत्तर प्रदेश।	—वही—	
195. —वही—	—वही—	श्री वशरथ लाल, मो.—दुशहरन नाथ, स्टेशन रोड़, जिला—गोण्डा, उत्तर प्रदेश।	—वही—	
196. —वही—	—वही—	श्री बापक राम, मो.—सेमरावम्मम, पो.—बड़पौव, जिला—गोण्डा, उत्तर प्रदेश।	—वही—	
197. —वही—	162—कटरा बाजार,	मोहम्मद इकबाल, ग्राम—भोका, पो.—बांस गांव, (पूरे भुजई) उत्तर प्रदेश	—वही—	
198. —वही—	—वही—	श्री लाल बहादुर शुक्ला, ग्राम—बेहरास, पो.—मोहना, जिला—गोण्डा, उत्तर प्रदेश।	—वही—	
199. —वही—	163—करनैलगंज	श्री आपदाहरण ग्राम—चन्द्रभानपुर, पो.—बतरीली, जिला—गोण्डा, उत्तर प्रदेश।	—वही—	
200. —वही—	—वही—	श्री अशोक कुमार, मो.—गांधी नगर, करनैलगंज, गोण्डा, उत्तर प्रदेश।	—वही—	
201. —वही—	—वही—	श्री आदित्य प्रसाद, मो.—गांधीनगर, करनैलगंज, गोण्डा, उत्तर प्रदेश।	—वही—	
202. —वही—	—वही—	बिलीप कुमार, निवासी—सदर बाजार, करनैलगंज, गोण्डा, उत्तर प्रदेश।	—वही—	
203. —वही—	—वही—	श्री जुगराज, ग्राम—खरगूपुर खाँदपुर, पो.—खरगूपुर खाँदपुर, जिला—गोण्डा, उत्तर प्रदेश।	—वही—	
204. —वही—	—वही—	श्री शान्ती खन्वर, ग्राम—बादी पुरवा, पो.—खरगूपुर, खाँदपुर, जिला—गोण्डा, उत्तर प्रदेश।	—वही—	
205. —वही—	165—हरैया	श्री अन्देश प्रसाद, कल्याणपुर कुवगहा तहसील व जिला—बस्ती उत्तर प्रदेश।	—वही—	

1	2	3	4	5
206.	उत्तर प्रदेश विधानसभा के लिए प्रत्यादिष्ट निर्वाचन, 1991	165- हरैया	श्री जय प्रकाश सिंह, राजधाट, हरैया बस्ती, उ. प्र.	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे।
207.	-वही-	-वही-	श्री पूर्ण वासी, ग्राम - पथरा, पो - बडतो जिला - गोरखपुर, उ. प्र.	-वही-
208.	-वही-	-वही-	श्री प्रेम शंकर सिंह ग्राम - अग्रपार, पो - नवाइजपार जनपद - गोरखपुर, उ. प्र.	-वही-
209.	-वही-	-वही-	श्री पंचम्, ग्राम - धरजानीपुर, पो. - परशुरामपुर जिला - बस्ती, उ. प्र.	-वही-
210.	-वही-	-वही-	श्री मन्ना राम, ग्राम - परवरपारा, पो - सिकन्दरपुर जिला - बस्ती, उ. प्र.	-वही-
211.	-वही-	-वही-	श्री सूर्य नारायण, मारवली, जगदीशपुर, बस्ती उ. प्र.	-वही-
212.	-वही-	-वही-	राजबेन्द्र प्रताप, ग्राम - बयुआना, पो - परशुरामपुर जिला - बस्ती, उ. प्र.	-वही-
213.	-वही-	166- कप्तानगंज	श्री प्रवीण सिंह, ग्राम ब पोस्ट - महुआ डाबर, जिला - बस्ती, उ. प्र.	-वही-
214.	-वही-	168- बस्ती	श्री ईश्वर वस्त, ग्राम - पोखरबिलवा, पो. - बुधारा, जिला - बस्ती, उ. प्र.	-वही-
215.	-वही-	-वही-	श्री खड्ग, ग्राम - गुरकासिया, पो. - अमरोली सुमाली, जिला - बस्ती, उ. प्र.	-वही-
216.	-वही-	-वही-	श्री प्रबुद्ध कुमार शुक्ला, ग्राम - भीर, निर्जपुर, पो. - सिविल लाइन्स, बस्ती, उ. प्र.	-वही-
217.	-वही-	-वही-	श्री परमात्मा प्रसाद, ग्राम - खाजुआ, पो. - कप्तानगंज, बस्ती, उ. प्र.।	-वही-
218.	-वही-	-वही-	श्री रामकरन, ग्राम - बैकाशी, औरवारा, जिला - बस्ती, उ. प्र.	-वही-
219.	-वही-	-वही-	श्री राम बिलास, ग्राम - मुहाडीहा, पो. - हालगुमाक, जगदीशपुर, पो. - मुण्डेरवा, बस्ती, उ. प्र.	-वही-
220.	-वही-	-वही-	श्री राम शब्द, ग्राम - मनअरिया, शुक्ल, पो. पुरानी बस्ती, उ. प्र.	-वही-
221.	-वही-	-वही-	श्री नय्यदेव, ग्राम - श्रीपालपुर, पो. - वाल्टरगंज, बस्ती, उ. प्र.	-वही-
222.	-वही-	-वही-	श्री सीताराम, ग्राम - इटानी, पो. - कसाली- बस्ती, उ. प्र.	-वही-
223.	-वही-	-वही-	श्रीमती शांती, ग्राम ब पो. - कराह पिथिया, बस्ती, उ. प्र.	-वही-

1	2	3	4	5
224.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	169 - रासनगर	श्री राम केवल, ग्राम - देवारा, पो. - परना बमखा, बस्ती, उ. प्र.	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे।
225.	-वही-	-वही-	श्री बरबू प्रसाद, ग्राम - एकहैगवा, पो. - मोनडाबस्ती, उ० प्र०,	-वही-
226.	-वही-	-वही-	श्री दुर्गा प्रसाद, ग्राम - बन्दोखा, पो. - शंकरपुर, जिला - बस्ती, उ. प्र.	-वही-
227.	-वही-	176 - मेंहवावल	श्री पप्पू, ग्राम - गुहाछोला खुदे, पो. - उसरा गहरीब बस्ती, उ. प्र.	-वही-
228.	-वही-	-वही-	श्री मेन्हीन, ग्राम व पो. - सेमारियावा, बस्ती, उ. प्र.	-वही-
229.	-वही-	-वही-	श्री सर्वजीत, ग्राम - डडवामाफी, पो. - उसरागहरीब, बस्ती, उ. प्र.	-वही-
230.	-वही-	-वही-	श्री शमीम अहमद, ग्राम - काजीपुर, पो. - काजीपुर, गहरीब बस्ती, उ. प्र.	-वही-
231.	-वही-	181 - मून्डेरा बाजार (अ.जा.)	श्री मुन्नीष, ग्राम - सोनबरसा, पो. - बालापार, जनपद - गोरखपुर, उ. प्र.	-वही-
232.	-वही-	184 - पिपराहवा	श्री पारसनाथ ग्राम - खटहलखाम, पो. - टोला बडकन, गोरखपुर, उ. प्र.	-वही-
233.	-वही-	399 - सिवामखाम (अ. जा.)	श्री कालू राम, 219/6, ग्राम सिवालखाम, मेरठ (उ. प्र.)	-वही-
234.	-वही-	185 - गोरखपुर	बाह्य अली, जंगलमाताहीन हुकूम नं. 1, पो. - पादरी बाजार, गोरखपुर, उ. प्र.	-वही-
235.	-वही-	-वही-	किशोर अस्थाना, छोटे काजीपुर, गोरखपुर, उ. प्र.	-वही-
236.	-वही-	-वही-	श्री गुरुजीत, बकशीपुर, गोरखपुर, उ. प्र.	-वही-
237.	-वही-	-वही-	श्री श्रीनाथ, रायगंज दक्षिणी, गोरखपुर, उ. प्र.	-वही-
238.	-वही-	-वही-	श्री कृपाशंकर श्रीवास्तव, धसन्तपुर, गोरखपुर, उ. प्र.	-वही-
239.	-वही-	-वही-	श्री शिव कुमार तर्कमानपुर, गोरखपुर, उ. प्र.	-वही-
240.	-वही-	-वही-	श्रीमती सुमन बीदी, बसन्तपुर, गोरखपुर, उ. प्र.	-वही-
241.	-वही-	-वही-	श्री अहमद, खूनीपुर, गोरखपुर, उ. प्र.	-वही-
242.	-वही-	-वही-	श्री महमूद, बहरामपुर, गोरखपुर, उ. प्र.	-वही-
243.	-वही-	186 - मानीराम	श्री अणोक कुमार सिंह कुशवाहा, ग्राम - हुमायपुर दक्षिणी, म. नं. - 116, गोरखपुर, उ. प्र.	-वही-

1	2	3	4	5
244.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	156 — मनीराम	श्री रामचन्द्र, मु. — गोरखनाथ, गोरखपुर, उ. प्र.	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे।
245.	—वही—	—वही—	श्री ओमप्रकाश निषाद, मोहल्ला — जुगल मनीक राम, अंशिक जुगल शिवपुर उर्फ साहबगंज, पो. — पादरी बाजार, गोरखपुर, उ. प्र.	—वही—
246.	—वही—	188 — पनियारा	श्री ओमप्रकाश, ग्राम — चौमुखी, पो. — कम्पियरगंज, गोरखपुर, उ. प्र.	—वही—
247.	—वही—	—वही—	श्री केदार, ग्राम — बसडीला, पो. — कमासिन खुर्द, महाराजगंज, उ. प्र.	—वही—
248.	—वही—	—वही—	श्री गोविन्द दास, वार्ड नं. 2, पो. — पीपीगंज, गोरखपुर, उ. प्र.	—वही—
249.	—वही—	—वही—	श्री रीनानाथ मिश्र, ग्राम — बसडीला, पो. — कमासिन खुर्द, जनपद — महाराजगंज, उ. प्र.	—वही—
250.	—वही—	—वही—	श्री नयनी, ग्राम व पो. — धैरवा, जनपद — महाराजगंज, उ. प्र.	—वही—
251.	—वही—	—वही—	श्री फुन्नी, ग्राम — चन्वन भाफी, पो. — पनियारा, महाराजगंज, उ. प्र.	—वही—
252.	—वही—	—वही—	श्री बालेराम, टी. ए. वार्ड नं. 3, पीपीगंज, गोरखपुर, उ. प्र.	—वही—
253.	—वही—	—वही—	श्री सुरेण, ग्राम — बरगवही, पो. — मछलीगांव, गोरखपुर, उ. प्र.	—वही—
254.	—वही—	189 — फरेम्दा	श्री अम्बिका, ग्राम — बहुरा, पो. — मरहठा, जनपद — गोरखपुर, उ. प्र.	—वही—
255.	—वही—	—वही—	श्री इलाफ, ग्राम — बभनी दुर्ग, पो. — कोल्मुई बाजार, महाराजगंज, उ. प्र.	—वही—
256.	—वही—	—वही—	श्री प्रेम कुमार, ग्राम — धानी, पो. — धानी, बाजार — महाराजगंज, उ. प्र.	—वही—
257.	—वही—	190 — जयमोपुर	श्री मो. मुनंजा, ग्राम — नउशीही, पो. — बेवपुर, प्रहला बाजार, महाराजगंज, उ. प्र.	—वही—
258.	—वही—	—वही—	श्री सुरेण मणि, ग्राम — जुर्गौली, पो. — सोनारी, जनपद — महाराजगंज, उ. प्र.	—वही—
259.	—वही—	196 — सिमरा	श्री दानी, मिठौरा, जनपद — महाराजगंज, उ. प्र.	—वही—
260.	—वही—	—वही—	श्री राजेण, मु. — धतकरगंज, जनपद — गोरखपुर, उ. प्र.	—वही—
261.	—वही—	192 — महाराजगंज (ध. जा.)	श्री चन्द्रिका, मु. — शाहपुर (छत्तार भवन) गीता वाटिका, गोरखपुर, उ. प्र.	—वही—

1	2	3	4	5
262	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	194—नौरंगिया (अ.जा.)	श्री राणा, पुत्र मुकई, ग्राम—इंदरपुर, पो.—लक्ष्मीगंज, जिला—देवरिया, उ.प्र.	निर्वाचन व्ययों का कोई भी देखा दाखिल करने में असफल रहे।
263	—वही—	195—रामकोला	श्री घनश्याम गोरखपुरी, ग्राम व पो.—बाँदरबार, देवरिया, उत्तर प्रदेश।	—वही—
264	—वही—	—वही—	श्री दुरोगा, ग्राम—अहिरोला बाजार, देवरिया, उत्तर प्रदेश।	—वही—
265	—वही—	—वही—	श्री लक्ष्मी प्रसाद, ग्राम व पो.—रामकोला, देवरिया, उत्तर प्रदेश।	—वही—
266	—वही—	196—झाटा (अ.जा.)	श्री हीरामन, ग्राम—बन्धुछपरा पो.—पड़रौना जिला—देवरिया, उत्तर प्रदेश।	—वही—
267	—वही—	—वही—	श्री सन्तभान, ग्राम व पो.—रायपुर, जिला—देवरिया, उ.प्र.	—वही—
268	—वही—	197—पड़रौना	श्री अमरफ, ग्राम—पड़रौना, पो.—नौरंगिया, पड़रौना, देवरिया, उ.प्र.	—वही—
269	—वही—	—वही—	श्री जोगेन्द्र, ग्राम—अरनहवा, पो.—माथी कोठिलवा, देवरिया, उ.प्र.	—वही—
270	—वही—	—वही—	श्री रामबख्त, ग्राम—नरसोबवा, पो.—बलकुडिया, देवरिया, उ.प्र.	—वही—
271	—वही—	—वही—	श्री वित्त प्रकाश, ग्राम व पोस्ट, चीनीमोल, पड़रौना, देवरिया, उ.प्र.	—वही—
272	—वही—	198—सेवरही	श्री कमल प्रसाद, ग्राम—राजपुर मान. पो.—पिपराघाट, देवरिया, उ.प्र.	—वही—
273	—वही—	—वही—	यशोदा, ग्राम व पो.—सेवरही, वार्ड नं. 12, देवरिया, उ.प्र.	—वही—
274	—वही—	—वही—	श्री राधाकृष्ण, ग्राम—सेवरही, वार्ड नं. 9, म. नं. 96, जिला—देवरिया, उ.प्र.	—वही—
275	—वही—	—वही—	श्री बृज किशोर गुप्ता, ग्राम—सेवरही, जिला—देवरिया, उ.प्र.	—वही—
276	—वही—	—वही—	श्री हफी गुलाह, उर्फ हफीज अमारी, ग्राम व पो.—माधोपुर बुजुर्ग, उ.प्र.	—वही—
277	—वही—	199—फाजिलनगर	श्री केन्द्र पाठक, ग्राम व पो.—बिहार, जिला—देवरिया, उ.प्र.	—वही—
278	—वही—	—वही—	श्री सफुल्लाह, ग्राम—नकटहा बमडीला, पो.—कुबेर स्थान, देवरिया, उ.प्र.	—वही—

1	2	3	4	5
279.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	199—फाजिलनगर	श्री गंगा सिंह, ग्राम—नरगहनपुर, पो.—जबूर पटखोली, देवरिया, उ.प्र.	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहें।
280.	—वही—	250—कसया	श्री बलभ ठरन, ग्राम—गोपाल गढ़, पो.—कसया, देवरिया, उ.प्र.	—वही—
281.	—वही—	—वही—	श्री योगेश्वर, ग्राम व पो.—सिरसिया खोजिया देवरिया, उ.प्र.	—वही—
282.	—वही—	—वही—	श्री रामनाथ, ग्राम—मंगलपुर, पो.—सिरसिया खोजिया, देवरिया उ.प्र.	—वही—
283.	—वही—	—वही—	श्री सुधीर ग्राम—सेलीपट्टी, पो.—पथरदेवा, देवरिया, उ.प्र.	—वही—
284.	—वही—	207—नम्यपुर	श्री कृष्णाकान्त, ग्राम—उमरीचक, पो.—बहादुर, जिला—मऊ, उ.प्र.	—वही—
285.	—वही—	—वही—	श्री परशुराम, ग्राम—भेडकल मूलानपुर, पो.—परसिया जयराम गिरी, जिला—मऊ, उ.प्र.	—वही—
286.	—वही—	208—घोगी	श्री मन्दी, ग्राम—मुहम्मदपुर, पो.—पनहल, मऊ, उ.प्र.	—वही—
287.	—वही—	—वही—	श्री प्रदीप, ग्राम—पनहलबिहाय मऊ, उ.प्र.	—वही—
288.	—वही—	220—मऊ	श्री अहमद हसन, ग्राम—हमिसिया (बुनकर कालोनी) पो.—मऊलाथमंजन, मऊ, उ.प्र.	—वही—
289.	—वही—	221—रसड़ा (घ.जा.)	श्री महावीर, ग्राम बँका पो.—मेउडीकलां, जिला—बलिया, उ.प्र.	—वही—
290.	—वही—	—वही—	कामता ग्राम व पो.—रोडुआ जिला—बलिया, उ.प्र.	—वही—
291.	—वही—	227—बलिया	श्री प्रेमनाथ ग्राम व पो.—शिबरामपुर बियर, जिला—बलिया, उ.प्र.	—वही—
292.	—वही—	237—धानापुर	श्री रवि प्रकाश ग्राम व पो.—जेवरियाबाब बाराणसी उ.प्र.	—वही—
293.	—वही—	—वही—	श्री मन्जिदानन्द ग्राम—जमड़ा पो.—घोमवा, बाराणसी, उ.प्र.	—वही—
294.	—वही—	240—मृगवसराय	श्री भरत लाल ग्राम व पो.—कटेसर बाराणसी, उ.प्र.	—वही—
295.	—वही—	—वही—	श्री विरेन्द्र कु. काशी महात बाराणसी, उ.प्र.	—वही—

1	2	3	4	5
296.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	240—मुगलसराय	श्री हरिणन्द झा, श्री. गोरेया, रामनगर, वाराणसी उ.प्र.	निर्वाचित व्यक्तियों का कोई भी लेखा दाखिल करने में असमर्थ रहें
297.	—वही—	—वही—	श्री राम जी. 12/75 मधुबन, वाराणसी, उ.प्र.	—वही—
298.	—वही—	241—वाराणसी कौन्ट	श्री उमा गेकर. डि. 57/58 मिर्जापुर, वाराणसी, उ.प्र.	—वही—
299.	—वही—	—वही—	श्री कुनिषा, डि. 65/54, लहरावा, वाराणसी, उ.प्र.	—वही—
300.	—वही—	242—वाराणसी, दक्षिण	श्री अरुण श्री, पि.के. 58/5—अ. 2, सराय सिनाथ राय, वाराणसी, उ.प्र.	—वही—
301.	—वही—	243—वाराणसी उत्तरी	श्री हरिनारायण पांडेय, 27/40, जगतगंज, वाराणसी उ.प्र.	—वही—
302.	—वही—	—वही—	श्री उमेश कुमार राय, 27/249, बी. 1, जगतगंज, वाराणसी, उ.प्र.	—वही—
303.	—वही—	244—चिरईगांव	श्री राम रत्न सिंह चौहान, कृतपुर, पञ्चगाँवा, वाराणसी, उ.प्र.	—वही—
304.	—वही—	—वही—	श्री विपिन, ग्राम—औरा, पो.—मुरैदा, वाराणसी, उ.प्र.	—वही—
305.	—वही—	—वही—	श्री सोमान, राजपुर कमीठा, वाराणसी, उ.प्र.	—वही—
306.	—वही—	—वही—	श्री हंसिना प्रसाद मिश्र, अधरामपुर भुनारी, वाराणसी, उ.प्र.	—वही—
307.	—वही—	246—गंगापुर	श्री श्यामा, बहुगणेश, लोहरिया, वाराणसी, उ.प्र.	—वही—
308.	—वही—	—वही—	श्री रामधनी, ग्राम—महगांव, पो.—महगांव, वाराणसी, उ.प्र.	—वही—
309.	—वही—	247—औरगढ़	श्री महेश कुमार, ग्राम—उठरा, वाराणसी, उ.प्र.	—वही—
310.	—वही—	—वही—	श्री सुरेश कुमार, ग्राम—मरदनपुर, पो.—डोमनपुर, बरहथ, वाराणसी, उ.प्र.	—वही—
311.	—वही—	249—भद्राही (अ.जा.) ¹	श्री नीतला, ग्राम—कमिवाड़ा, पो.—नखईपुर, जलपुर, वाराणसी, उ.प्र.	—वही—
312.	—वही—	253—बाराबंसी	रामनारायण यादव, ग्राम—रुफरपुर, जलपुर उ.प्र.	—वही—
313.	—वही—	—वही—	हारी यादव, ग्राम—महमनपुर, पो.—जलाकपुर, जलपुर, उ.प्र.	—वही—
314.	—वही—	255—गरी	श्री अमरनाथ मिश्रा, बेलहिता, बारापुर, जलपुर, उ.प्र.	—वही—

1	2	3	4	5
315.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	255—रासी	श्री इनर पाल, सेखपुरा, टेजी बाजार, जौनपुर, उ.प्र.	निर्वाचन व्ययों का कोई भी लेखा लेखा दाखिल करने में प्रमफल रहे।
316.	—वही—	—वही—	श्री जयन्ती प्रसाद यादव, पालपुर, मुरादगंज, जौनपुर, उ.प्र.	—वही—
317.	—वही—	—वही—	श्री धर्मराज, जगदीशपुर, जौनपुर, उ.प्र.	—वही—
318.	—वही—	—वही—	श्री वीरेन्द्र, बीबीपुर, गुलजारगंज, जौनपुर, उ.प्र.	—वही—
319.	—वही—	258—राजबारा	श्री त्रिभुवन सिंह, गांव—बानकी, पो.—मिकरारा, जौनपुर, उ.प्र.	—वही—
320.	—वही—	—वही—	श्री दयाशंकर वुडे, गांव व पो.—छोमा, जौनपुर, उ.प्र.	—वही—
321.	—वही—	—वही—	श्री वेवेन्द्र मणि, गांव, बारपुर, बालबर गंज, जौनपुर, उ.प्र.	—वही—
322.	—वही—	—वही—	श्री बाबा, गांव क.रेव, पो.—सुलतानपुर, जौनपुर, उ.प्र.	—वही—
323.	—वही—	—वही—	श्री महेन्द्र प्रताप यादव, गांव व पो.—बराहूत जौनपुर, उ.प्र.	—वही—
324.	—वही—	—वही—	श्री रघुनाथ मिह, गांव—रामनगर चेटी, पो.—शंकरागंज, जौनपुर, उ.प्र.	—वही—
325.	—वही—	—वही—	श्री शीनला प्रसाद तिवारी, गांव—बारगो, पो.—बधुपुर, जौनपुर, उ.प्र.	—वही—
326.	—वही—	—वही—	श्री साधु राय, गांव—करमौली, पो.दान, जौनपुर, उ.प्र.	—वही—
327.	—वही—	259—मछलीशहर	श्री कमला प्रसाद, निवासी रामपुर काला, पो.—तिलोरा, जौनपुर, उ.प्र.	—वही—
328.	—वही—	—वही—	श्री पुननासी, निवासी—बैरमोन, पो.—मोंधुपुर, जौनपुर, उ.प्र.	—वही—
329.	—वही—	—वही—	श्री रमाकान्त, निवासी—चौकी खुर्द, पो.—किणुनवासपुर, जौनपुर, उ.प्र.	—वही—
330.	—वही—	—वही—	श्री रमेश चन्द्र, निवासी एवं पो.—तिलोरा, जौनपुर, उ.प्र.	—वही—
331.	—वही—	—वही—	श्री राजबहादुर सिंह बत्स, निवासी नारायनवीह, पो.—शीहासा, जौनपुर, उ.प्र.	—वही—
332.	—वही—	262—राजगढ़	श्री नन्हक, ग्राम—भैसवार, सेमरहिया, पो.—श्रीरावल, मोनभद्र, उ.प्र.	—वही—

1	2	3	4	5
333.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	290—कानपुर केन्ट्रलसेन्ट	श्री. इगलाम मोहम्मद, 310, नई बस्ती लाल कालोन, कानपुर, उ.प्र.	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे
334.	—वही—	294—घाटमपुर	श्री अरविंद कुमार, पराग, कानपुर देहात, उ.प्र.	—वही—
335.	—वही—	—वही—	श्री धनंजय नारायण, पिरौरी निवादा, कानपुर, देहात, उ.प्र.	—वही—
336.	—वही—	—वही—	श्री धर्मेश मिश्र, गामपुर, कानपुर देहात, उ.प्र.	—वही—
337.	—वही—	—वही—	श्री पवन कुमार, निवारीपुर माछु, कानपुर देहात, उ.प्र.	—वही—
338.	—वही—	—वही—	श्री राजवहादुर सिंह उर्फ धीमू, शास्त्री नगर, घाटमपुर, कानपुर देहात, उ.प्र.	—वही—
339.	—वही—	—वही—	श्री राजेश कुमार यादव, गानपुर, कानपुर देहात, उ.प्र.	—वही—
340.	—वही—	—वही—	श्री राम किशोर, शोबेपुर, कानपुर देहात, उ.प्र.	—वही—
341.	—वही—	—वही—	श्री राम लखन, हुसेना, कानपुर देहात, उ.प्र.	—वही—
342.	—वही—	—वही—	श्री हेम शर्मा, बिरहूर, कानपुर, देहात, उ.प्र.	—वही—
343.	—वही—	295—राजपुर	श्री राजेश, मर्दटा जिला—कानपुर देहात, उ.प्र.	—वही—
344.	—वही—	—वही—	श्री लक्ष्मण सिंह मन्तान ग्राम य.पो. जवाहरपुर, जिला कानपुर देहात, उ.प्र.	—वही—
345.	—वही—	—वही—	श्री राजेश ग्राम य.पो. सामपुर जिला—कानपुर देहात, उ.प्र.	—वही—
346.	—वही—	298—खिदिपुर	श्री देव नारायण हरदिया नारा, शिवली, कानपुर, उ.प्र.	—वही—
347.	—वही—	—वही—	श्री देवेश मरहमदाबाद मन्तान, कानपुर देहात, उ.प्र.	—वही—
348.	—वही—	—वही—	श्री प्रेम नारायण प्रेम मन्तान, कानपुर देहात, उ.प्र.	—वही—
349.	—वही—	—वही—	श्री राम लाल निवासी 71, बौधाय नगर, कानपुर देहात, उत्तर प्रदेश	—वही—
350.	—वही—	—वही—	श्री निरंजन प्रकाश अग्निहोत्री, मेडा कुरी, कानपुर देहात, उत्तर प्रदेश	—वही—
351.	—वही—	—वही—	विमला यादव, श्री अम्बेडकर नगर, विजय नगर, कानपुर,	—वही—

1	2	3	4	5
352.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	300--इटावा	श्री दयागम रंजितर, सदरमपुर महेरा, कानपुर देहात, उ. प्र.	निर्वाचन दायी का कोई भी लेखा दाखिल करने में अक्षम रहे।
353.	--वही--	--वही--	श्री रमेश चन्द्र यादव, ग्राम--भुरिया मिहक, कानपुर देहात उ. प्र.	--वही--
354.	--वही--	--वही--	श्री शिवराम मिह, ग्राम मिहसेनपुर, कहिजरा, कानपुर देहात, उ. प्र.	--वही--
355.	--वही--	302--अजीमन (म. ज.)	श्री नारायण मिह, ग्राम, पूर्वी तालाब, पो. चपटा, जिला इटावा, उ. प्र.	--वही--
356.	--वही--	--वही--	श्री शालक राम, गुवागंज, इटावा, उत्तर प्रदेश।	--वही--
357.	--वही--	--वही--	श्री बाली प्रसाद, जानपुर पो. सुरेपुर कर्वा, जिला इटावा उ. प्र.	--वही--
358.	--वही--	--वही--	श्री मन्मोहन कुमार, ग्राम पूर्वी जदोत, डा. बिरहना, जि. इटावा, उत्तर प्रदेश	--वही--
359.	--वही--	--वही--	श्री मिथु राम बोरु, मन्दलाय का पूर्वी, पो. बिरहना, जि. इटावा, उ. प्र.	--वही--
360.	--वही--	--वही--	श्री मुखवीर मिह, पेमनगर, इमूनिदा, पो. --गुवागंज, जिला इटावा, उ. प्र.	--वही--
361.	--वही--	--वही--	श्री सुरेश कुमार अम्बेकर नगर, अजीमन, इटावा, उ. प्र.	--वही--
362.	--वही--	303--इटावा	श्री रमेश कन्नाय्या, पो. जाफरी, फतेहगंज, फरखाबाद, उ. प्र.	--वही--
363.	--वही--	305--अमरनगर	श्री राधा प्रसाद ग्राम--न मेवा, पो., कुईया, इटावा, उ. प्र.	--वही--
364.	--वही--	--वही--	श्री नारायण मिह, ग्राम--नारायण हीरा तालाब इटावा खरहनी, इटावा, उ. प्र.	--वही--
365.	--वही--	--वही--	श्री कैथरिण बाबू, ग. न. 46/1 बाजिदपुर, सीवान रेनगे आजमपुर, कानपुर उ. प्र.	--वही--
366.	--वही--	--वही--	श्री लक्ष्मण सिंह, ग्राम मोहनपुर, पोस्ट हरदोई, इटावा, उ. प्र.	--वही--
367.	--वही--	--वही--	श्री सुरेश मिह, न बापे बाबा पो. हरदोई इटावा, उ. प्र.	--वही--
368.	--वही--	--वही--	श्री गुलाबम मिह, पुत्र श्री पार्श्वराम, नारायण अजम, खुआ, पो. --मीजा इटावा, उ. प्र.	--वही--
369.	--वही--	--वही--	श्री रमेश मिह, ग्राम मोहनपुर, पो. हरदोई, इटावा, उ. प्र.	--वही--

1	2	3	4	5
370.	उत्तर प्रदेश विधान सभा के लिए प्रत्यादिष्ट निर्वाचन, 1991	305-जसवन्तनगर	श्री गंजीव कुमार ग्राम— गहुसापुर, पो.—कुम्हावर, इटावा, उ. प्र.	निर्वाचन व्ययों का कोई भी लेखा वाकिल करने में घगफल रहे।
371.	—वही—	—वही—	श्री राजेश कुमार 34अ, धनिया मजमन अली, इटावा, उ. प्र.	—वही—
372.	—वही—	—वही—	श्री राम सेवक ग्राम—गंगापुर, पो.—चौबिया, इटावा, उ. प्र.	—वही—
373.	—वही—	—वही—	श्री सत्य प्रकाश कटरा खूबचन्द, जसवन्तनगर, इटावा, उ. प्र.	—वही—
374.	—वही—	—वही—	श्री पीयूष कुमार राजीव गांधी नगर, फर्रुखाबाद (गद्दी नवाब त्यागन खां) उ. प्र.	—वही—
375.	—वही—	—वही—	श्री मुशील कुमार नेहरू रोड, फर्रुखाबाद, उ. प्र.	—वही—
376.	—वही—	—वही—	श्री सूरज पाल मो. निलोई, पो. निलोई, इटावा, उ. प्र.	—वही—
377.	—वही—	—वही—	श्री गुलाम निवरिया पुराना, बाजार, नानपारा, बहराइच, उ. प्र.	—वही—
378.	उत्तर प्रदेश विधान सभा के लिए माध्यम निर्वाचन, 1991	309 उमदा	श्री राम प्रकाश वर्मा, ग्राम व पोस्ट मदनपुर तुरी उ. प्र.	—वही—
379.	—वही—	—वही—	श्री बाबू राम ग्राम—निकरीपुर, पोस्ट—उमदा उ. प्र.	—वही—
380.	—वही—	—वही—	श्री राम सेवक ग्राम—महलेपुरवा, पोस्ट—ठाठटिया, उ. प्र.	—वही—
381.	—वही—	—वही—	श्रीमती रामनन्दी वर्मा मो. मिपाही ठाकुर, कलौज, उ. प्र.	—वही—
382.	—वही—	—वही—	श्री रामनोपाल वर्मा, ग्राम—महु पुरमीशानवेमऊ, पोस्ट नादेमउ उ. प्र.	—वही—
383.	—वही—	—वही—	श्री राजेन्द्र सिंह ग्राम—शालमगीरपुर पो. जनिनगर, उ. प्र.	—वही—
384.	—वही—	311-कमाल गज	श्री राकेश कटियार ग्राम—पमैया जिला— फर्रुखाबाद, उ. प्र.	—वही—
385.	—वही—	319-बांदा	श्री गणेश पुत्र श्री रामलाल ग्राम व पोस्ट, कुरी, जिला बांदा उ. प्र.	—वही—
386.	—वही—	—वही—	श्री पितृदा ग्राम—गुरेह, पो. गुरेह, जिला बांदा, उ. प्र.	—वही—

1	2	3	4	5
387.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	319-बाँवा	श्री मोहम्मद फारूक, मो. छिपरहरी मर्वननाफा, बाँवा उ. प्र.	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे।
388.	—वही—	—वही—	श्री रामसुख ग्रामा अग्रहारी पो. कनगावल, जिला—बाँदा, उ. प्र.	—वही—
389.	—वही—	321-हमीरपुर	श्री वैजनाथ ग्राम—; बघा गाँव जिला—हमीरपुर उ. प्र.	—वही—
390.	—वही—	323-राठ	श्री शिवकाम निधारी ग्राम व पोस्ट खेडा, मिलाजीत हमीरपुर, उ. प्र.	—वही—
391.	—वही—	—वही—	श्री विष्णु कान्त ग्राम व पो. मैसाय, हमीरपुर, उ. प्र.	—वही—
392.	—वही—	328-झांसी	श्री अरुण कुमार मन्सना 174— तोरीया नर्मिह राव, झांसी, उ. प्र.	—वही—
393.	—वही—	—वही—	मु. अमलम पुरानी कोतवाली, झांसी, उ. प्र.	—वही—
394.	—वही—	—वही—	श्री ओम प्रकाश 1/99 रुड्डु कम्पाउंड, सीपरी बाजार, झांसी, उत्तर प्रदेश	—वही—
395.	—वही—	—वही—	श्री गणेश 189/4. मीनिल माहला, झांसी, उत्तर प्रदेश	—वही—
396.	—वही—	—वही—	श्री जगत सिंह यादव 114, जुगयाना, झांसी, उत्तर प्रदेश	—वही—
397.	—वही—	—वही—	श्री जुगल किशोर 8/1, चमारयाना प्रेम नगर, झांसी, उत्तर प्रदेश।	—वही—
398.	—वही—	—वही—	सैयद ज़ुलफिकार खादी 120, मेवासीपुरा, झांसी, उत्तर प्रदेश।	—वही—
399.	—वही—	—वही—	श्री दीपक शर्मा 719 सिविल लाईन, झांसी, उत्तर प्रदेश	—वही—
400.	—वही—	—वही—	वेवेर कुमार ग्राम व पो.—मोवा, तह.—पऊरानीपुर, जिला—झांसी, उ. प्र.	—वही—
401.	—वही—	—वही—	श्री धर्मवीर 84, हेंयर गेट के बाहर, झांसी, उ. प्र.	—वही—
402.	—वही—	—वही—	श्री प्रमोद 469, मवर बाजार, झांसी, उ. प्र.	—वही—
403.	—वही—	—वही—	श्री राम बाबू यादव (प्रधान) 37 नई बस्ती, झांसी, उत्तर प्रदेश।	—वही—
404.	—वही—	—वही—	श्री लाया राम विश्वकर्मा, एडवोकेट, 356/17, मोहन बाग, झांसी, उ. प्र.	—वही—
405.	—वही—	—वही—	श्री सुरज प्रसाद 95 पन्ना लाल, झांसी उ.प्र.	—वही—
406.	—वही—	—वही—	श्री हरीश कुमार 179/8, आउटसाईड, आदेराव गेट, झांसी, उ.प्र.	—वही—

1	2	3	4	5.
407.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	328—झांसी	श्री बाबू भालू निवारी, जुगयाना, झांसी, उ. प्र.	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे।
408.	—वही—	—वही—	श्री मोहन लाल 156, मेडिकल कॉलेज, झांसी उ. प्र.	—वही—
409.	—वही—	329—धवीना (अ. जा.)	श्री जगदीश गांव ब पो.—कराड़ी, झांसी, उ. प्र.	—वही—
410.	—वही—	330—मऊरानीपुर (अ. जा.)	श्री दया राम गांव—पाली पहाड़ी पो.—रकसा मऊरानीपुर, उ. प्र.	—वही—
411.	—वही—	331—गरौठा	श्री विरेन्द्र 189-ए, पहाड़गांव, किंव जालोन, उ. प्र.	—वही—
412.	—वही—	—वही—	श्री मुरीम कुमार ग्राम—पाली पहाड़ी, पो.—रकसा, जिला झांसी, उत्तर प्रदेश	—वही—
413.	—वही—	332—कोंच (अ. जा.)	श्री रामकिशन ग्राम ब पो.—हुरवाई गूजर, जिला-जालोन, उ. प्र.	—वही—
414.	—वही—	334—कालपी	श्रीमती बिमल ग्राम—तरमोर, पो.—सिरसा कलार, जिला—जालोन, उ. प्र.	—वही—
415.	—वही—	336—भोगांव	श्री कुंवर पाण ग्राम—हीरापुर, पो.—मधकरपुर, मैनपुरी, उ. प्र.	—वही—
416.	—वही—	336—भोगांव निर्वाचन, 1991	श्री राकेश बाबू यादव, ग्राम—प्रागपुर, पो.—गढ़िया, छिनकौरा, मैनपुरी, उ. प्र.	—वही—
417.	—वही—	337—किशनी (अ. जा.)	श्री मिजाजी नगला भारापुर, मौजा हिंदुपुर, पोस्ट—जामई—मैनपुरी, उत्तर प्रदेश	—वही—
418.	—वही—	338—करहल	श्री सुभाष कुमार ग्राम—नगला दौसी, पोस्ट—रोहन मानिकपुर, फिरोजाबाद, उ. प्र.	—वही—
419.	—वही—	—वही—	श्री गंगा प्रसाद, ग्राम—इकहूरा, डाँ.—बरनहाल, मैनपुरी, उ. प्र.	—वही—
420.	—वही—	—वही—	श्री तोता राम ग्राम—हुडगांव, डाँ.—घन्जनी, मैनपुरी, उ. प्र.	—वही—
421.	—वही—	—वही—	श्री दया राम ग्राम—नौरमई, डा.—खरोषा, मैनपुरी, उ. प्र.	—वही—
422.	—वही—	—वही—	श्री राज बहादुर सिंह ग्राम—खुशालपुर, पो.—बरनहाल, मैनपुरी, उ. प्र.	—वही—
423.	—वही—	339—शिकोहाबाद	श्री राजकुमार, ग्राम—भारेपुर, पोस्ट—मदनपुर, फिरोजाबाद, उ. प्र.	—वही—
424.	—वही—	342—मैनपुरी	श्री सतीश चन्द्र कश्यप, ग्राम ब पो.—भरनपुरा, मैनपुरी, उत्तर प्रदेश।	—वही—
425.	—वही—	348—एटा	श्री रामेश्वर ग्राम—मुसैमपुर, बलीपुर, पो.—राजपुर, जिला—एटा, उ. प्र.	—वही—

1	2	3	4	5
426.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	351—फिरोजाबाद	श्री ग्रहिवरन सिंह जिला—दक्षिण छपेरी, मैनपुरी, उ. प्र.	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असमर्थ रहें।
427.	—वही—	—वही—	श्री कुंज बिहारी लाल 13—गंज हरीनगर, फिरोजाबाद, उ. प्र.	—वही—
428.	—वही—	—वही—	श्री राजा राम देवनगर, फिरोजाबाद, उ. प्र.	—वही—
429.	—वही—	—वही—	श्री भुम्भजीत मुहम्मदपुर, बिहारीपुर, फिरोजाबाद, उ. प्र.	—वही—
430.	—वही—	—वही—	श्री साविर हाजिमी निवासी-बगिया, फिरोजाबाद, उ. प्र.	—वही—
431.	—वही—	333—फतेहाबाद	श्री मनोहर सिंह ग्राम ब पो.—शाहपुर, टोला, भागरा, उ. प्र.	—वही—
432.	—वही—	353—फतेहाबाद	रामजी लाल मोहनपुर (बहरापुर) फतेहाबाद, उ. प्र.	—वही—
433.	—वही—	—वही—	संतोष कुमार कल्लाखेडिया टोला, भागरा, उ. प्र.	—वही—
434.	—वही—	—वही—	सौधान सिंह कुणवाहा नागना मेवा पो.—मेहरा, शमशाबाद, भागरा, उ. प्र.	—वही—
435.	—वही—	354—टंरला (अ. जा.)	श्री हरि बिलास ठापाकला, मुखमलपुर, फिरोजाबाद, उ. प्र.	—वही—
436.	—वही—	355—एस्मावपुर (अ. जा.)	श्री निहाल सिंह सतौली, एस्मावपुर, भागरा, उ. प्र.	—वही—
437.	—वही—	—वही—	श्री सुभाष कुमार (सागर) पञ्चोखरा, फिरोजाबाद, उ. प्र.	—वही—
438.	—वही—	356—दयालबाग	मनोहर लाल जगतपुर बेला, पो.—दयालबाग, भागरा, उ. प्र.	—वही—
439.	—वही—	—वही—	हरि मोहन ग्राम—बमरोली ग्रहिर, भागरा, उ. प्र.	—वही—
440.	—वही—	—वही—	श्री देवेन्द्र नागना हरलाल राठौरी, भागरा, उ. प्र.	—वही—
441.	—वही—	357—भागरा केन्दुनमेन्ट	श्रीमती किरन लता 25/34-ए, बगई खुर्द, ताजगंज, भागरा, उ. प्र.	—वही—
442.	—वही—	—वही—	श्री प्रमोद कुमार गुप्ता 24/68, काजी पाग, भागरा, उ. प्र.	—वही—
443.	—वही—	—वही—	श्री योगेश 30/55, कुम्हारपारा, छिपीटोला, भागरा, उ. प्र.	—वही—
444.	—वही—	—वही—	श्री राजकुमार 10/46, गुडई मंडी, ताजगंज, भागरा, उ. प्र.	—वही—

1	2	3	4	5
445.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	357—आगरा केस्टूनमेन्ट	श्री रामबाबू बंसल 5/15, करोरट बाजार, ताजगंज आगरा, उ. प्र.	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में अक्षम रहें।
446.	—वही—	—वही—	श्री ण्णोदान सिंह 18/226, पुरानी मंडी, ताजगंज, आगरा, उ. प्र.	—वही—
447.	—वही—	—वही—	श्री त्रिलोकी, 21/118, डिपीटोला, आगरा, उत्तर प्रदेश।	—वही—
448.	—वही—	—वही—	श्री मनोज पुत्र महेश चन्द, 9/316, मोती कटरा, आगरा, उ. प्र.	—वही—
449.	—वही—	—वही—	श्री महेश चन्द 13/93, हृत्कमदान, नाई कीमंडी, आगरा, उ. प्र.	—वही—
450.	—वही—	—वही—	श्री युवराज सिंह 9/392, मोती कटरा, आगरा, उत्तर प्रदेश।	—वही—
451.	—वही—	—वही—	श्री राजेन्द्र चौधरी 16/178, गुण्डापारा, सबरभट्टी, आगरा, उ. प्र.	—वही—
452.	—वही—	—वही—	श्री राम सेबक सिंह, 9/674, मोती कटरा आगरा, उ. प्र.	—वही—
453.	—वही—	—वही—	श्री हर्ष कुमार, 8/222, हूँग की मण्डी, आगरा, उ. प्र.	—वही—
454.	—वही—	—वही—	श्री प्रवीन कुमार उर्फ मुन्ना लाल, 6/189, गली सेवारीम, आगरा, उ. प्र.	—वही—
455.	—वही—	358—आगरा पूर्व	श्री मोहन सिंह कुशवाह, 10/40, कटरा बजीर खा,] आगरा, उ. प्र.	—वही—
456.	—वही—	—वही—	कमल चक्रवर्ती, बी-637, कमला नगर, आगरा, उ. प्र.	—वही—
457.	—वही—	—वही—	अशोक गुप्ता, 4 उत्तरी विजय नगर, आगरा, उ. प्र.	—वही—
458.	—वही—	—वही—	जवाहर लाल, 8/392, भैरों बाजार, आगरा, उ. प्र.	—वही—
459.	—वही—	—वही—	नृकेश अग्रवाल, 27/75-ई, गली अमरिया, पथवारी, आगरा, उ. प्र.	—वही—
460.	—वही—	—वही—	मोहन लाल सोन, 5/144, पंचा मबरसा, आगरा, उ. प्र.	—वही—
461.	—वही—	—वही—	सजय तिवारी, सी-21—न्यू आगरा, उ. प्र.	—वही—
462.	—वही—	—वही—	श्री महेश कुमार 22/210, माथला सोला भाला, आगरा, उ. प्र.	—वही—
463.	—वही—	—वही—	श्री अजय कुमार, 8/173, यमूना भरोन, आगरा, उ. प्र.	—वही—
464.	—वही—	—वही—	श्री शान्ति स्वल्प कुशवाह 35/108, सण्करपुरा, फजियतपुरा, आगरा, उ. प्र.	—वही—
465.	—वही—	—वही—	श्री बन्धू सिंह नई आबादी, तंगलापड़ो कुर्गा नगर, आगरा, उ. प्र.	—वही—
466.	—वही—	—वही—	श्री संजय कुमार दीक्षित 11—ए/1बी/5 ई, राम नगर, आदर्श स्कूल के पास आगरा, उ. प्र.	—वही—

(1)	(2)	(3)	(4)	(5)
467. उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	358--भागरा	श्री प्रदीप 19-ए/6-ई-34, मुगना बवन, लोहियानगर, भागरा, उ.प्र.	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे।	
468. --वही--	--वही--	श्री शफी मुहम्मद, ए-91, कमला नगर, भागरा, उ.प्र.	--वही--	
469. --वही--	--वही--	श्री राकेश कुमार 6/79, कचोडा बाजार भागरा, उ.प्र.	--वही--	
470. --वही--	359--भागरा पश्चिम (प्र.जा.)	श्री प्रयाग नारायण चौधरी, 9/514, महादेव गली, मोती कटरा, भागरा, उ.प्र.	--वही--	
471. --वही--	--वही--	श्री राजेन्द्र कुमार माहौर, 46/92, भीमनगर, जगदीशपुर, भागरा (उ.प्र.)	--वही--	
472. --वही--	--वही--	श्रीमती विनोद कुमारी उर्फ मनीता, 18/197, न्यू राजेन्द्र नगर, लोहामण्डी, भागरा, उ.प्र.	--वही--	
473. --वही--	--वही--	श्री अर्जुन सिंह, 12/132, खटीक पारा, भागरा, उ.प्र.	--वही--	
474. --वही--	360--खेरागढ़	श्री निरोली लाल ग्राम--बुनदेरवाला, खुसियापुर, भागरा, उ.प्र.	--वही--	
475. --वही--	361--फतेहपुर सीकरी	श्री ओम प्रकाश मकान नं. 8/98, भोगीपुरा, माहगंज, उ.प्र.	--वही--	
476. --वही--	--वही--	श्री योगेंद्र मकान नं. 37/187-बो, बिन्नु कटरा, भागरा, उ.प्र.	--वही--	
477. --वही--	--वही--	श्री रतबीर मकान नं. 240, कचोरा, पो.--आस, भागरा, उ.प्र.	--वही--	
478. --वही--	--वही--	श्री राम नारायण, ग्राम-जन्ठा, पो.--कथवारी, भागरा, उ.प्र.	--वही--	
479. --वही--	--वही--	श्री साहब सिंह ग्राम जहानपुर, फतेहपुर सीकरी, भागरा, उ.प्र.	--वही--	
480. --वही--	362--गोवर्धन (प्र.जा.)	श्री सुन्दर लाल झुंडावई, मयूरा, (उ.प्र.)	--वही--	
481. --वही--	--वही--	श्री राम सिंह फरह, मयूरा, उ.प्र.	--वही--	
482. --वही--	--वही--	श्री प्रेम सिंह नगला, पोहवी, (लाहपुरा) बरारी, मयूरा उ.प्र.	--वही--	
483. --वही--	--वही--	श्री मगवान सिंह हंसगंज लोहवन, मयूरा, उ.प्र.	--वही--	
484. --वही--	363--मयूरा	श्री जयकरन महावर गांव व पोस्ट-कठवारी, भागरा, उ.प्र.	--वही--	
485. --वही--	--वही--	श्री भीम सैन छटीकरा, मयूरा, उ.प्र.	--वही--	
486. --वही--	364--छाता	श्री मोहम्मद हनीफ, मोहल्ला--फरीममुल्लाबाद, नगरपालिका, कोसीकला जिला-मयूरा, उ.प्र.	--वही--	
487. --वही--	--वही--	डा० जनराम सिंह ग्राम--नगवा सोजी, पो. मेई, तहसील--छाता, (उ.प्र.)	--वही--	
488. --वही--	--वही--	श्री नरोउद्दाल ग्राम व पो. दोताना, जिला--मयूरा, उ.प्र.	--वही--	

1	2	3	4	5
489.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन 1991	362--गोवर्धन (अ०ज०)	श्री अजर सिंह ग्राम व पो. --बन्नीरी तहसील--छाता उ.प्र.	निर्वाचन व्ययों का कोई भी लेखा वाञ्छित करने में असफल रहे।
490.	--वही--	364--छाता	श्री जवाहर ग्राम व पो.--छिन्नाशही, तहसील--मांड, उ.प्र.	--वही--
491.	--वही--	--वही--	श्री तेजवीर सिंह ग्राम--मुकुन्दपुर, पो. उधवार, तहसील--छाता--उ.प्र.	--वही--
492.	--वही--	365--मांड	श्री बीरेन्द्र सिंह ग्राम--फतागढ़ी, खण्डगढ़ी जिला, तहसील--भाँट, मथुरा, उ.प्र.	--वही--
493.	--वही--	--वही--	श्री हरे कृष्ण ग्राम--शाल वलीपुर डा. शाल, मथुरा उत्तर प्रदेश	--वही--
494.	--वही--	--वही--	श्री बन्धू सिंह ग्राम व पोस्ट जाबरा, मथुरा उ.प्र.	--वही--
495.	--वही--	--वही--	श्री किलाब सिंह ग्राम व पो.--तमीरी, जिला, मथुरा, उ.प्र.	--वही--
496.	--वही--	--वही--	श्री शिव राज ग्राम-सुरीर विजऊ, पोस्ट--सुरीर, मथुरा, उ.प्र.	--वही--
497.	--वही--	--वही--	श्री तेजपाल ग्राम व पो. भायराखेड़ा, मथुरा उ.प्र.	--वही--
498.	--वही--	366--गोकुल	श्री श्याम लाल ग्राम नातऊ, डा. मई, मथुरा, उ.प्र.,	--वही--
499.	--वही--	--वही--	श्री धरमवीर ग्राम पोखरहवय राया, मथुरा उ.प्र.	--वही--
500.	--वही--	--वही--	श्री मोतिश्वर उपमन्यु मोले श्वर कालोनी, राया, मथुरा उ.प्र.	--वही--
501.	--वही--	--वही--	श्री सौनताल ग्राम--सागर, डा. राया, मथुरा	--वही--
502.	--वही--	--वही--	श्री श्याम लाल ग्राम--सागर, डा. कारब, मथुरा उ.प्र.	--वही--
503.	--वही--	367--सादाबाद	श्री राकेश कुमार शर्मा ग्राम--नगला ब्राह्मण, पो. सलेमपुर, मथुरा उ.प्र.	--वही--
504.	--वही--	--वही--	श्री मटलू मकनपुर, जिला मथुरा-उ.प्र.	--वही--
505.	--वही--	--वही--	श्री गणेशी लाल मु. बरीवाला, गौतमनगर, सादाबाद, मथुरा, उ.प्र.	--वही--
506.	--वही--	--वही--	श्री जगदीश प्रसाद मो. पोखरवाला कस्बा, सादाबाद, मथुरा, उ.प्र.	--वही--
507.	--वही--	368--हाथरस	श्री कालीशरण ग्राम--रामनपुर, हाथरस, अलीगढ़ उ.प्र.	--वही--
508.	--वही--	--वही--	श्रीमती सरूपी, नगला बरा, डा. जोगिया हाथरस, अलीगढ़ उ.प्र.	--वही--
509.	--वही--	--वही--	श्री बूज बिहारी ग्राम--मेड़ हाथरस, अलीगढ़, उ.प्र.	--वही--

1	2	3	4	5
519.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	371--गंगौरा	श.सती उमिला देवी ग्राम--समौरी, खुर्द, डा.--आलमपुर, फतेहपुर, अलीगढ़, उत्तर प्रदेश श्री नत्थू मिह ग्राम--नगला--गुलरिया डा.--ढावाला, अलीगढ़, उ. प्र. श्री और पास ग्राम व पोस्ट--जौहेया, डिबाई, बुलन्दशहर उ. प्र.	निर्वाचन व्यर्थों का कोई भी लेखा दाखिल करने में असफल रहें। --वही--
511.	--वही--	--वही--		
512.	--वही--	--वही--		--वही--
513.	--वही--	372--अतरोली	श्री कमलधन सिंह, (नाथपुर) ग्राम--नाथपुर, पो.--नहल, अलीगढ़ उ. प्र.	--वही--
514.	--वही--	--वही--	श्री विजय मिह ग्राम--बहोला, पो.--रूघमा, अलीगढ़, उ. प्र.	--वही--
515.	--वही--	--वही--	श्री मियाराम ग्राम--बहुरावा, पो.--गनियावली अलीगढ़, उ. प्र.	--वही--
516.	--वही--	--वही--	श्री लाला राध, ग्राम--मिलेट रामनगर, पो.--खाम अलीगढ़, उ. प्र.	--वही--
517.	--वही--	373--अलीगढ़	श्री हीरा लाल उर्फ पोपो सराय हरनारायण अलीगढ़, उ. प्र.	--वही--
518.	--वही--	374--झोंल (अ. जा.)	श्री राम धरन जारीठ, इगलास, अलीगढ़ उ. प्र.	--वही--
519.	--वही--	377--खैर	आम प्रकाश नि --खिन्हीली, डा.--बाजना, तह.--मांट, जिला--मथुरा	--वही--
520.	--वही--	--वही--	श्री राकेश मोड़, नई बस्ती खैर, अलीगढ़, उ. प्र.	--वही--
521.	--वही--	379--खुर्जा	श्री भिन्न कुमार राममिह झाड़ा, मदार दरवाजा, खुर्जा, जिला--बुलन्दशहर उ. प्र.	--वही--
522.	--वही--	--वही--	श्री योगेश मो --छना, देजोवा, म. नं. 43, खुर्जा बुलन्दशहर, उ. प्र.	--वही--
523.	--वही--	--वही--	श्री राम औतार ग्राम--खटैना डा.--खारोली, जिला--बुलन्दशहर, उ. प्र.	--वही--
524.	--वही--	--वही--	श्री सन्तोष ग्राम--रताईच, पो.--करीग जिला--बुलन्दशहर उ. प्र.	--वही--
525.	--वही--	--वही--	श्री हकीम म. नं -- 273, खमेशान, खुर्जा, जिला--बुलन्दशहर उ. प्र.	--वही--
526.	--वही--	380--डिबाई	श्री कमरुद्दीन खान ग्राम व पो.--पला कसेर, जिला--बुलन्दशहर, उ. प्र.	--वही--
527.	--वही--	--वही--	श्री गुलाब ग्राम व पो.--दीनपुर खुर्द, जिला--बुलन्दशहर, उ. प्र.	--वही--

[illegible]

1	2	3	4	5
546.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	386--सिकन्दराबाद	श्री धमन ग्राम--मुख्तालपुर, डा.--सिकन्दराबाद, जिला--बुलन्दशहर, उत्तर प्रदेश ।	निर्वाचन व्यर्थों का कोई भी लेखा दाखिल करने में असफल रहे ।
547.	--वही--	--वही--	श्री वेद प्रकाश म. नं. 10, ग्राम--हसनपुर जागीर, डा.--सिकन्दराबाद, जिला--बुलन्दशहर, उ. प्र.	--वही--
548.	--वही--	--वही--	श्री गङ्गाबुद्धीन मलिक मौ.--सराय हसन, सिकन्दराबाद, जिला--बुलन्दशहर, उ. प्र.	--वही--
549.	--वही--	--वही--	डा. मुभाष चन्द त्यागी म. नं. 88, खलीवाड़ा, सिकन्दराबाद, जनपद--बुलन्दशहर, उ. प्र.	--वही--
550.	--वही--	387--दादरी	श्री नेपाल ग्राम--नया बांस, दादरी, उ. प्र.	--वही--
551.	--वही--	--वही--	श्री श्रीराज ग्राम--महोउद्दीनपुर, कलाबनी, उ. प्र.	--वही--
552.	--वही--	388--गाजियाबाद	श्री गंगाशरण 232, धूकना, गाजियाबाद, उत्तर प्रदेश ।	--वही--
553.	--वही--	--वही--	श्री जितेंद्र 324, कैलाश नगर, गाजियाबाद, उ. प्र.	--वही--
554.	--वही--	--वही--	श्री नन्गु ग्राम--बसोड़ा खुर्द, हापुड़, जिला--गाजियाबाद, उ. प्र.	--वही--
555.	--वही--	--वही--	श्री राकेश त्यागी III--एल/14 नेहरू नगर, गाजियाबाद, उत्तर प्रदेश ।	--वही--
556.	--वही--	388--गाजियाबाद	डा. रामपाल सिंह जोहान, ग्राम--करहूँडा, मोहननगर, गाजियाबाद, उ. प्र.	--वही--
557.	--वही--	--वही--	श्री रिछपाल ई-32, मैक्टर-23, राजनगर, गाजियाबाद, उ. प्र.	--वही--
558.	--वही--	--वही--	श्री रूप किशोर 115--बाल्मिकी नगर, इस्लाम नगर, गाजियाबाद, उ. प्र.	--वही--
559.	--वही--	--वही--	श्री संजय कुमार मौ-254, लोहिया नगर, गाजियाबाद, उ. प्र.	--वही--
560.	--वही--	--वही--	श्री श्रीपाल सिंह ग्राम--महुरौली, शाहपुर, बम्हेरा, गाजियाबाद, उ. प्र.	--वही--
561.	--वही--	--वही--	श्री जगन्नाथ ग्राम--शरोपाबाद राजपुर, डा.--फरुखनगर, गाजियाबाद, उ. प्र.	--वही--
562.	--वही--	389--मुरादनगर	श्री अनवर अहमद चौधरी 161, कोठी मसूरी, गाजियाबाद, उ. प्र.	--वही--
563.	--वही--	--वही--	श्री अब्दुल रहमान 6304/889, कैला भट्टा, गाजियाबाद, उत्तर प्रदेश	--वही--
564.	--वही--	--वही--	श्री नियाज मोहम्मद गोसपुर, जिला--मेरठ, उ. प्र.	--वही--

1	2	3	4	5
565.	उत्तर प्रदेश विधान सभा के लिए माधारी निर्वाचन, 1991	389—मुरादनगर	श्री मनोम, मौ. कोट, मुरादनगर, गाजियाबाद, उ.प्र.	निर्वाचन व्ययों का कोई भी लेखा वाचिन करने में असफल रहे।
566.	—वही—	—वही—	श्री सहोबुल्ला, मौ. —ध्यापारियान, मुरादनगर, गाजियाबाद, उ.प्र.	—वही—
567.	—वही—	—वही—	श्री ध्रुवाणु गोयल, 88 सेक्टर-23, राजनगर, गाजियाबाद, उ.प्र.	—वही—
568.	—वही—	390—मोदीनगर	श्री मनुराम, ग्राम—सपनावन, मोदीनगर, उ.प्र.	—वही—
569.	—वही—	—वही—	श्री अमरपाल पारवा, ग्राम—रूपोड़ी, 13 बिहवा, उ.प्र.	—वही—
570.	—वही—	—वही—	श्री अरम, हरौला, मकनपुर, तोगड़ा, सेक्टर-5, उ.प्र.	—वही—
571.	—वही—	—वही—	श्री आशा नन्ध, 49, मुक्तीमल, आसना गेट, गाजियाबाद, उ.प्र.	—वही—
572.	—वही—	—वही—	श्री कैलाश कुमार गुक्ला, 122/9, गोविन्दपुरी, मोदीनगर, उ.प्र.	—वही—
573.	—वही—	—वही—	श्री नित्यप्रकाश, 11, मन्तपुरा, गोविन्दपुरी, मोदीनगर, उ.प्र.	—वही—
574.	—वही—	—वही—	श्री प्रेमपाल, ग्राम—समाना, मोदीनगर, उ.प्र.	—वही—
575.	—वही—	—वही—	श्री राधेप्रियाम शर्मा, हौ-52, गीब दपुरी, मोदीनगर, उ.प्र.	—वही—
576.	—वही—	—वही—	श्री संजय, गुरुद्वारा राव, मोदीनगर, उ.प्र.	—वही—
577.	—वही—	—वही—	श्री सुखवीर, औरंगाबाद, पञ्चनगर, उ.प्र.	—वही—
578.	—वही—	—वही—	श्री सुभाष, शिवाजीनगर, पिलखुआ, उ.प्र.	—वही—
579.	—वही—	—वही—	श्री कुम्हू, ग्राम—लाखन, मोदीनगर, उ.प्र.	—वही—
580.	—वही—	391—हापुड़ (प. भा.)	जितेन्द्र, 324, कैलाश नगर, गाजियाबाद, उ.प्र.	—वही—
581.	—वही—	—वही—	नरेश लाल, ग्राम व पो.—अमोहा, जिला गाजियाबाद, उ.प्र.	—वही—
582.	—वही—	—वही—	गजेश्वर चौधरी, 160, अण्डा-पट्टी, हापुड़, गाजियाबाद, उ.प्र.	—वही—
583.	—वही—	—वही—	श्री रामपाल, ग्राम व डा.—डाहना, जिला गाजियाबाद, उ.प्र.	—वही—
584.	—वही—	—वही—	श्री धर्म सिंह, ग्राम व डा.—नगला हरैक, जिला मेरठ, उ.प्र.	—वही—

1	2	3	4	5
585.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	393—गङ्गमुक्तेश्वर	श्री हनीफ, ग्राम—बिज्याबाई, तह. —गङ्ग, जिला—गाजियाबाद, उ. प्र.	निर्वाचन स्थलों का कोई भी लेखा वांछित करने में असफल रहे।
586.	—वही—	—वही—	श्री अमला उद्दीन, कोटला मेवातिया, हापुड़, जिला—गाजियाबाद, उ. प्र.	—वही—
587.	—वही—	—वही—	श्री अमवीर, शाहम उद्दीनपुर, तह. —हापुड़, जिला—गाजियाबाद, उत्तर प्रदेश	—वही—
588.	—वही—	—वही—	श्री नियाज मोहम्मद, ग्राम—गोशपुर, तह. —बागपत, जिला—मेरठ, उ. प्र.	—वही—
589.	—वही—	—वही—	श्री हरकेश सिंह, चौपला, गङ्गमुक्तेश्वर, गाजियाबाद, उ. प्र.	—वही—
590.	—वही—	—वही—	श्री हरि सिंह, ग्राम—आलमनगर,, तह. —गङ्ग जिला—गाजियाबाद, उ. प्र.	—वही—
591.	—वही—	394—मिर्वालाबास (प्र. जा.)	जलमिह, ग्राम बडा. —वर्धौड़, मेरठ, उ. प्र.	—वही—
592.	—वही—	—वही—	श्रीमती मधुबाबा, ग्राम—घनोरा मिलबर नगर, मेरठ, उ. प्र.	—वही—
593.	—वही—	—वही—	मह्यपाल सिंह उर्फ एम. पी. बिपिन, पंचगांव, फाँजाबाद, मेरठ, उ. प्र.	—वही—
594.	—वही—	400—खेकड़ा	श्री विनय, ग्राम—मोहीतपुर, हिसाही, डा. —मुराबनगर, गाजियाबाद, उ. प्र.	—वही—
595.	—वही—	—वही—	श्री प्रशोक पुत्र कवल सिंह, ग्राम—संभूरपुर, डा. —रटील, मेरठ, उ. प्र.	—वही—
596.	—वही—	—वही—	श्री शाहमूदीन, डाबर तालाब, लोनी, गाजियाबाद, उ. प्र.	—वही—
597.	—वही—	—वही—	श्री बोरेन्द्र सिंह, ग्राम—पीपली कलां रायपुर, 25—अमरोहा, मुराबाबाद, उ. प्र.	—वही—
598.	—वही—	401—बागपत	श्री गंगा राम बागपत, उत्तर प्रदेश	—वही—
599.	—वही—	420—रुड़की	श्री विनेश चन्द्र, 678, पश्चिम अम्बर तालाब, रुड़की, उ. प्र.	—वही—
600.	—वही—	—वही—	श्री अशरफ, म्वारफपुर मलीपुर, पोस्ट—मोहम्मदपुर, बजरंग, जिला—हरिद्वार, उ. प्र.	—वही—
601.	—वही—	—वही—	श्री ब्रह्मा नन्द, रावली मेहदूय, पोस्ट—भद्राबाद, जिला—हरिद्वार, उ. प्र.	—वही—

1	2	3	4	5
- 602.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991	423- - संसूरी	श्री प्ररुण, ग्राम--सेयलीकनी, माजरा, देहरादून, उ.प्र.	निर्वाचन व्ययों का कोई भी लेखा शुद्धि करने में प्रयुक्त रहे।
603.	--वही--	--वही--	श्री धीरेन्द्र प्रताप, मो.--छोटा बाजार, बड़ा बाजार, मेरठ, उ.प्र.	--वही--
604.	--वही--	--वही--	श्री धीरेन्द्र सिंह पुष्पारे, नालापानी, तपोवन, देहरादून, उ.प्र.	--वही--
605.	--वही--	--वही--	श्री राजेश शर्मा, 118--रेसकोर्स, देहरादून, उ.प्र.	--वही--
606.	--वही--	--वही--	श्री रबिन्द्र कुमार, 152--हनुमानगढ़ कालोनी, देहरादून, उ.प्र.	--वही--
607.	--वही--	--वही--	कुमारी रेनु भद्रवाल, i बी-22/6, ओ.एन.जी.सी. कालोनी, देहरादून, उ.प्र.	--वही--
608.	--वही--	--वही--	श्री सुनील भद्रवाल, 16-ए, न्यू कान्स्टेड रोड, देहरादून, उ.प्र.	--वही--
609.	--वही--	--वही--	श्री कासिम खान, 56--हरिद्वार रोड, देहरादून, उ.प्र.	--वही--
610.	--वही--	424--देहरादून	श्री शिरीश कुमार, साहनी, 333/8, छुड़बुड़ा, मोहल्ला, देहरादून, उ.प्र.	--वही--
611.	--वही--	--वही--	श्री ज्योति बहुगुणा, 24--सैयद मोहल्ला, देहरादून, उ.प्र.	--वही--
612.	--वही--	100--महोना	श्री देशराज, ग्राम भरवारा, पो. चिनहट, लखनऊ (उ.प्र.)	--वही--
613.	--वही--	--वही--	श्री मनीराम, ग्राम मटियारी, पो. चिनहट, लखनऊ (उ.प्र.)	--वही--
614.	--वही--	--वही--	श्री सुरेश, ग्राम लछमन पुरवा, मजरा सराय, शेख, चिनहट, लखनऊ (उ.प्र.)	--वही--
615.	--वही--	143--इवावगंज	श्री जिनेन्द्र सिंह म. नं. 17, मारनिपुरम, लखनऊ	--वही--
616.	--वही--	158--साधुलामगढ़	श्री रमाकांत, गालियर ग्राम, पो. दलीली, गोण्डा (उ.प्र.)	--वही--
617.	--वही--	--वही--	श्री शिवशंकर, ग्राम ब पो. मन्तपुर चौधरी, गोण्डा (उ.प्र.)	--वही--
618.	--वही--	3--वेव प्रयाग	श्री सुरत सिंह ग्राम--जमोली, पट्टी योगी, टिहरी गढ़वाल।	--वही--
619.	--वही--	4--सेतुबाउन	श्री शमशेर सिंह ग्राम--सिमलकेर, पो.--मराल विकासखण्ड, पमकेश्वर, पौड़ी गढ़वाल, उ.प्र.	--वही--

1	2	3	4	5
620.	उत्तर प्रदेश साधारण, विधान सभा के लिए निर्वाचन, 1991	6—कर्ण प्रयाग	श्री पंचम मिह्र ग्राम,—पुनर्सी, पो.—हीरा नाल, जिला—पीलीगढ़वाल	निर्वाचन व्ययों का कोई भी लेखा दखिल करने में असफल रहे।
621.	—वही—	13—भृङ्गाली	श्री धर्मवीर, मियासी—भरमानीगंज धरमनाबाद लखनऊ, जिला—लखनऊ, उ. प्र.	—वही—
622.	—वही—	92—बाग़रमऊ	श्री कमरुद्दीन खां ग्राम व पो.—मुरसेनी जिला—उन्नाव, उ. प्र.	—वही—
623.	—वही—	—वही—	श्री गया प्रसाद ग्राम—व्योली, इस्लामाबाद, उन्नाव, उ. प्र.	—वही—
624.	—वही—	92—बाग़रमऊ	श्री रामचन्द्र मो.—धरं टोला, बाग़रमऊ, उन्नाव, उ. प्र.	—वही—
625.	—वही—	97—पुरवा	श्री बाबू लाल, ग्राम व पो.—भवनग, जिला—उन्नाव, उ. प्र.	—वही—
626.	—वही—	—वही—	श्रीमती प्रेमावती पोसाई खेड़ा, पो.—घसोहा, जिला—उन्नाव, उ. प्र.	—वही—
627.	—वही—	100—सहीगा	श्री ओम प्रकाश माल, लखनऊ, उ. प्र.	—वही—
628.	—वही—	—वही—	श्री बाबू राम ग्राम—देवरई कला, पो.—हन्वीरा बाग, लखनऊ।	—वही—
629.	—वही—	101—लखनऊ पूर्व	श्री बेराज रसूल 336 तालाब गंगरी मुकल, लखनऊ, उ. प्र.	—वही—
630.	—वही—	—वही—	श्री धवल उर्फ मदन, धरमनागंज, बतासे बाली, गंगी, लखनऊ, उ. प्र.	—वही—
631.	—वही—	—वही—	श्री नृपेन्द्र पाण्डे, 7, झालीबाग हज़रतगंज, लखनऊ, उ. प्र.	—वही—
632.	—वही—	103—लखनऊ पश्चिम	श्री बाहिर हुसैन, 475/15-क, कदम रसूल झालीगंज, लखनऊ	—वही—
633.	—वही—	103—लखनऊ मध्य	श्री जगदीश प्रसाद, 103-गुईन तालाब, लखनऊ, उ. प्र.	—वही—
634.	—वही—	—वही—	श्री मोहम्मद परवेज, 180/41 मफिया घाजमबेग, लखनऊ।	—वही—

1	2	3	4	5
635. उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1991।	104—लखनऊ फैक्टिलमेट	श्रीमती गायत्री देवी, 557/43, श्रीम नगर, धा. धा. लखनऊ।	निर्वाचन व्यर्थों का कोई भी निष्ठा दान्तिन करने में प्रयत्न रहे।	
636. —वही—	—वही—	श्री. मैमलन मर्गाह, म. नं. 554/160, छंडा बरहा. ग्राममबाग, लखनऊ।	—वही—	
637. —वही—	—वही—	श्री. सी. धर्मान, 119-स मोहनपुर जाफर. फैजाबाद।	—वही—	
638. —वही—	105—सरोजनी नगर	श्री. प्रार. सी. कुशावाहा, मॉडिफ पुस्तक हजरतगंज, लखनऊ।	—वही—	
639. —वही—	—वही—	मखिलेश कुमार, ग्राम तेजीबाग, पो. सरिका, लखनऊ।	—वही—	
640. —वही—	—वही—	श्री. भगते ग्राम उत्तरी मजरा, मालेहपुर. पो. मयकल, लखनऊ।	—वही—	
641. —वही—	—वही—	श्री. बुद्धेश कुमार, ग्राम परवर पश्चिम, पो. मोहनलालगंज, लखनऊ।	—वही—	
642. —वही—	106—मोहन लाल गंज (प्र. जा.)	श्री. जगदीश कुमार, ग्राम बुद्धेश्वरा मजरा, बरौला, पो. बरौला, लखनऊ, उ. प्र.	—वही—	
643. —वही—	120—जगदीशपुर (प्र. जा.)	श्री. तिलक राम, ग्राम फजिलपुर, पो. भंगरीली, तह. मुकामा, जिला मुलतानपुर	—वही—	
644. —वही—	—वही—	श्री. सल्लुबीम, ग्राम व.पो. सोमबुई. तह. गौरीगंज, मुलतानपुर।	—वही—	
645. —वही—	168—बस्ती	श्री. राजेश कुमार, ग्राम महादेवा, पो. पगार, जिला बस्ती, उ. प्र.	—वही—	
646. —वही—	171—छटावा	श्री. सल्लुबीम, ग्राम बेलवा, पो. टेडवाग्रान्त, जिला सिद्धार्थनगर, उ. प्र.	—वही—	
647. —वही—	171—छटावा	श्री. रिजवानुल्लाह ग्राम—बुद्धेश्वरा, पो.—छटावा, जिला—सिद्धार्थ नगर,	—वही—	
648. —वही—	—वही—	श्री. विजय कृष्ण ग्राम—भटगंवा, पो.—गौरा बाजार, जिला—सिद्धार्थ नगर	—वही—	
649. —वही—	174—बांसी	श्री. प्रमोद कुमार ग्राम—गौरा, पो.—गौरी, जिला—सिद्धार्थ नगर	—वही—	
650. —वही—	175—खैरहा	श्री. नरेश किशोर ग्राम—भिंडगा, पो.—भिंडगा, जिला—बस्ती	—वही—	
651. —वही—	176—मैंदवाचन	श्री. सैयद शही ग्राम व.पो.—गुधौरा बस्ती।	—वही—	

1	2	3	4	5
652.	उत्तर प्रदेश विधान सभा के लिए उप निर्वाचन, 1991.	184—पिपराइच	श्रीमती इन्द्रावती देवी ग्राम—बदौली बाबू, पो.—बदौली गोरखपुर, उ. प्र.	निर्वाचन व्यर्थों का कोई भी लेखा पंक्षित करने में असफल रहे।
653.	—वही—	338—करहुवा	श्रीमती शास्त्री देवी, ग्राम—खोरई, पो.—भसान, फिरोजाबाद, उ. प्र.	—वही—
654.	—वही—	354—दूबला (घ. जा.)	श्री भरत सिंह डोकी, फतेहाबाद, आगरा।	—वही—
655.	—वही—	—वही—	श्री सोनवीर बाधई, फिरोजबाबा, उ. प्र.।	—वही—
656.	—वही—	356—इयान बाग	श्री राजेन्द्र गढ़ी जोम्पपुर, पो.—सलेमाबाद, आगरा, उ. प्र.।	—वही—
657.	—वही—	389—मुरादनगर	श्री ओमकार, पुत्र श्री अतर सिंह, मो.—जाटव, म. नं.—1039, मुरादनगर, जिला—गजियाबाद, उ. प्र.।	—वही—
658.	—वही—	63—तिलहर	श्री दिनेश बाबू निवासी—बसई, डा.—बीरा बगरखेत, शाहजहांपुर।	—वही—
659.	—वही—	—वही—	श्री राजेश, पो.—शेरोबासा, शाहजहांपुर।	—वही—
660.	—वही—	—वही—	श्री राम नि.—कटिवाटोला, शाहजहांपुर।	—वही—
661.	—वही—	—वही—	श्री हरबयाल सिंह नि. मो.—जलालनगर, शाहजहांपुर, उ. प्र.।।	—वही—
662.	—वही—	—वही—	श्री राम अजय ग्राम—डमौरा, शाहजहांपुर, उ. प्र.।	—वही—
663.	—वही—	—वही—	श्री लाल प्रभात पो.—बाला गंज, शाहजहांपुर, उ. प्र.	—वही—
664.	—वही—	—वही—	श्री राम कुमार नि.—पक्का कटरा तिलहर, शाहजहांपुर उ. प्र.	—वही—
665.	—वही—	—वही—	श्री राजेश कुमार पुत्र—रूपलाल, पो.—पक्का कटरा, तिलहर, शाहजहांपुर, उ. प्र.	—वही—

1	2	3	4	5
666	उत्तर प्रदेश विधान सभा के लिए उप निर्वाचन, 1991.	63--तिलहर	श्री अखिलेश गुप्त हरनाम पो. --बानागंज, शाहजहाँपुर, उ. प्र.	निर्वाचित व्यर्थों का कोई भी चेका वाशिल करने में असफल रहे।
667.	--वही--	--वही--	श्री विनोद कुमार पो. --कुवरगंज, तिलहर, शाहजहाँपुर, उ. प्र.।	--वही--
668.	उ. प्र. विधान सभा के लिए प्रत्यादिष्ट निर्वाचन 1991.	155--तुलसीपुर	श्री परम राम शर्मा, ग्राम मर्ग मेतुवा, पो. मेतुवा, जगजलारडी, जनपद गोण्डा (उ. प्र.)	--वही--
669.	--वही--	--वही--	श्री म. रव, मोड़ल्ला पुराना बाजार, तुलसीपुर, जनपद गोण्डा, (उ. प्र.)।	--वही--
670.	उ. प्र. विधान सभा के लिए साधारण निर्वाचन 1991.	229--बबाना (घ. जा.)	श्री संतो, समारखाना, बरधवा सागर, डो. पी. भांसी (उ. प्र.)।	--वही--
671.	--वही--	--वही--	श्री राम सेवक, कुरायाना, बरधवा सागर, जिला भांसी, (उ. प्र.)।	--वही--
672.	उ. प्र. विधान सभा के लिए उप-निर्वाचन, 1992.	63--तिलहर	श्री विनेश बाबू, निवासी बसई, डा. लौराबगर खेत, शाहजहाँपुर, (उ. प्र.)।	--वही--
673.	--वही--	--वही--	श्री राकेश कुमार, पो. --भाकनी, तिलहर, (उ. प्र.)।	--वही--
674.	--वही--	--वही--	श्री राम बाबू, ग्राम तिलहरी, तिलहर, (उ. प्र.)।	--वही--
675.	उ. प्र. विधान सभा के लिए प्रत्यादिष्ट निर्वाचन, 1992.	63--तिलहर	श्री मदारू खा ग्राम. व. पो. --खुवागंज, (उ. प्र.)।	
676.	--वही--	--वही--	श्री के.पी. शृङ्खला, मं. नं. 2404, पो. --मिसराना, जिला --शाहजहाँपुर, (उ. प्र.)।	--वही--

[सं. 76 उ. प्र. - वि. स. 91]

प्रावेश से,

ममय्याय खीहर सचिव।

**ELECTION COMMISSION OF INDIA
ORDER**

New Delhi, the 7th December, 1992

O.N. 42.—Whereas the Election Commission is satisfied that each of the contesting candidate specified in column 4 of the table below at the General Election to the Uttar Pradesh Legislative Assembly as specified in column (2) held from the constituency specified in column (3) against his name has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951 and the rules made thereunder as shown in column (5) of the said Table :

And, whereas, the said candidates have not furnished any reason or explanation for the said failure even after due notice and the Election Commission is thus satisfied that they have no good reason or justification for the said failure.

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the persons specified in Column (4) of the Table below to be disqualified for being chosen as, and for being a member of either House of the Parliament or of the Legislative Assembly or Legislative Council of a State for a period of 3 years from the date of this order :—

TABLE

S. No.	Particulars of election	No. and Name of Constituency	Name and address of contesting candidate	Reason for disqualification
1	2	3	4	5
1.	General Election to the Uttar Pradesh Legislative Assembly, 1991.	3—Deo Prayag	Sh. Lalit Mohan, C/o Negi Tailoring House, Porwal, Tehri Garhwal (U.P.)	Failure to lodge any account of election expenses.
2.	—do—	36—Suar Tanda	Sh. Anwar Khan, Vill. Kherkhata, Post. Sarkada Khas, Teh. & Distt. Moradabad (U.P.)	—do—
3.	—do—	70—Lakhimpur	Sh. Anil Kumar, Moh. Nai Basti, Sarna, Petrol Pump, Sitapur Road, Distt. Khiri (U.P.)	—do—
4.	—do—	99—Malihabad	Mina Kumari, Moh. Takiapir Zail South, Kaisarbagh, Lucknow (U.P.)	—do—
5.	—do—	—do—	Sh. Babu Lal, Vill. Harchandpur Kanaura, Post. Maniknagar, Lucknow (U.P.)	—do—
6.	—do—	100—Mahona	Sh. Krishan Alias Kishan Lal, Mehenditola, Aliganj, Lucknow (U.P.)	—do—
7.	—do—	—do—	Madhubala, 555, Sector-G, Aliganj, Lucknow (U.P.)	—do—
8.	—do—	—do—	Sh. Islam, 178 Uzirzvan, Gomtinagar, Lucknow (U.P.)	—do—
9.	—do—	—do—	Sh. Girish Pandey, 41/557, Post. Turfal Ahmed Marg, Narhi, Lucknow (U.P.)	—do—
10.	—do—	—do—	Sh. Pyare, Vill. Gwari, Post. Gomtinagar, Lucknow (U.P.)	—do—

1	2	3	4	5
11.	General Election to the Uttar Pradesh Legislative Assembly, 1991.	100—Mahona	Sh. Mukesh, 108-Waisi ki Maszid, Lucknow (U.P.)	Failure to lodge any account of election expenses.
12.	—do—	—do—	Sh. Ram Sagar, Vill. Salohnagar, Madrukh, Lucknow (U.P.)	—do—
13.	—do—	—do—	Sh. Sanjay Tiwari, 61, Mahanagar, Lucknow (U.P.)	—do—
14.	—do—	—do—	Sh. Saryu Saran, 66/13, Chhitwapur Khas, Lucknow (U.P.)	—do—
15.	—do—	—do—	Sh. Matlub, Ghazipur Saidul, Nisa, Lucknow (U.P.)	—do—
16.	—do—	—do—	Sh. Brij Kishor, Vill. Siwan, Post. Behta, Lucknow (U.P.)	—do—
17.	—do—	*** 101—Lucknow East	Sh. Gopalji, Gopal Printing Press, Tasbir Wali gali, Aminabad, Lucknow (U.P.)	—do—
18.	—do—	—do—	Sh. Tahir Hussain, 172/153 Hata Lal Khan Jhaulal, Jhaulal Lucknow (U.P.)	—do—
19.	—do—	—do—	Sh. Husen, 53, Shurtukhana, Maqbulganj, Lucknow (U.P.)	—do—
20.	—do—	—do—	Sh. Anil Kumar, 41/138, Narhi, Lucknow (U.P.)	—do—
21.	—do—	—do—	Sh. Arvind Kumar, 21/336 Indira Nagar, Colony, Lucknow (U.P.)	—do—
22.	—do—	—do—	Sh. Umesh Kumar, 496/82-K, Chhota Chandganj Niralanagar, Lucknow (U.P.)	—do—
23.	—do—	—do—	Sh. Amarjit Singh Pahwa, 148, Lakarmandi Wali Gali, Daliganj, Lucknow (U.P.)	—do—
24.	—do—	—do—	Sh. Dalip, Chandpur (Bairia), Ballia (U.P.)	—do—
25.	—do—	102—Lucknow West	Sh. Anil Kumar Srivastava, 19/5 Vishnupuri Colony, Lucknow (U.P.)	—do—
26.	—do—	—do—	Moh. Ishaq Faruqi, Taksal Firangi Mahal Gali Parcha, H. No. 23, Lucknow (U.P.)	—do—

*** Remain names of 100-Mahona A.C. may please see at page No. 51.

1	2	3	4	5
27.	General Election to the Uttar Pradesh Legislative Assembly, 1991.	102—Lucknow West	Sh. Sajda Parvin, 621, Shekhpura Colony, Aliganj, Lucknow (U.P.)	Failure to lodge any account of election expenses.
28.	—do—	—do—	Sh. Ajay Prakash Mathur, 439/52 Tehsinganj, Lucknow (U.P.)	—do—
29.	—do—	—do—	Sh. Abdul Kadir, 292/163 Viktoria Street, Lucknow (U.P.)	—do—
30.	—do—	—do—	Sh. Ali Mehendi, Sadiq Ali, 337/157 Maisur Nagar, Lucknow (U.P.)	—do—
31.	—do—	—do—	Sh. Asrarul Hassan (Nassar) 292/122 Tulsidas Marg, Lucknow (U.P.)	—do—
32.	—do—	—do—	Sh. Pratik Kumar Pandey, 315/121 Banshighar Building, Bagh Mahanarayan Chowk, Lucknow (U.P.)	—do—
33.	—do—	—do—	Sh. Prem Shankar, 448/116 Nagria Thakurganj Satguru Sahaye Nigam Road, Lucknow (U.P.)	—do—
34.	—do—	—do—	Sh. Mangal Sen. 315/152, Bagh Mahanarayan, Chowk, Lucknow (U.P.)	—do—
35.	—do—	—do—	Smt. Roshan, Pul Gulam Husen, Chowk, Lucknow (U.P.)	—do—
36.	—do—	—do—	Moh. Shafiq, 293/149, Purana Haidarganj, Lucknow (U.P.)	—do—
37.	—do—	—do—	Sh. Mushir Ahmed, C-401/36, Takia Hazinusrat, Lucknow (U.P.)	—do—
38.	—do—	—do—	Sh. Galaf Firoz, 536/203, D Madehganj, Sitapur Road, Lucknow (U.P.)	—do—
39.	—do—	—do—	Sh. R.N. Mishra, Katra Shudapar Khan, Saadatganj, Lucknow (U.P.)	—do—
40.	—do—	—do—	Sh. Raju, Qutubpur Ara Machine Ke Pas, Lucknow (U.P.)	—do—
41.	—do—	—do—	Smt. Manorma, 473/60A Roopur Khadra, Ramlila Ground Road, Lucknow (U.P.)	—do—

1	2	3	4	5
42.	General Election to the Uttar Pradesh Legislative Assembly, 1991.	103—Lucknow Central	Sh. Vijay Kumar Alias Vinay Duwedi, 77, Chaudhari Gathaiya, Lucknow (U.P.)	Failure to lodge any, account of election expenses.
43.	—do—	—do—	Sh. Om Prakash, 65, Subhan Nagar, Lucknow (U.P.)	—do—
44.	—do—	—do—	Sh. Om Prakash Chaurasia, 33, Hata Fakir Mohammad, Pukhta, Lucknow (U.P.)	—do—
45.	—do—	—do—	Sh. Rafiq, Alam Nagar Road, Lucknow (U.P.)	—do—
46.	—do—	—do—	Sh. Ramesh Kant, Gaus Nagar Said, Manjil, H. No. 32, Rakabganj, Lucknow (U.P.)	—do—
47.	—do—	—do—	Sh. Ram Singh, 256/353 Khajuha, Lucknow (U.P.)	—do—
48.	—do—	—do—	Sh. Anup, 85, Mahesh Prasad Street Molvigani, Lucknow (U.P.)	—do—
49.	—do—	—do—	Mohammad Nasim, 143, Golaganj, Lucknow (U.P.)	—do—
50.	—do—	—do—	Sh. S. Sikander Abbas Rizvi, Ganne Wali Gali, Aminabad, Lucknow (U.P.)	—do—
51.	—do—	104—Lucknow Cantonment	Sh. Mahima Singh, 67/13, Lalkuan, Husainganj, Lucknow (U.P.)	—do—
52.	—do—	—do—	Sh. Rakesh, 559/22, Brahamnagar, Alembagh, Lucknow (U.P.)	—do—
53.	—do—	—do—	Sh. Ram Kishor, Baldev Khera Manak Nagar, Lucknow (U.P.)	—do—
54.	—do—	—do—	Smt. Charanjit Kaur, 1st-138, B.B.O. Colony, Double Storey, A.B. Lucknow (U.P.)	—do—
55.	—do—	—do—	Sh. Syan Prakash, 559 K-3, Bahadur Khera, Alambagh, Lucknow (U.P.)	—do—

1	2	3	4	5
56.	General Election to the Uttar Pradesh Legislative Assembly 1991.	105—Sarojini Nagar	Sh. Ram Autar, Saraswan Arujan Ganj, Lucknow (U.P.)	Failure to lodge any account of election expenses.
57.	—do—	—do—	Shiv Persad, Durga Ganj, P.O. Kokori Amothiya Selemipur, Lucknow (U.P.)	—do—
58.	—do—	—do—	Satya Narayan, Chadhaikia Purwa, P.O. Arujan Ganj, Lucknow (U.P.)	—do—
59.	—do—	—do—	Lallu, Mehendibog Khera, Alam Nagar, Distt. Lucknow (U.P.)	—do—
60.	—do—	—do—	Surender Singh, 25, Mahe Nagar, Lucknow (U.P.)	—do—
61.	—do—	106—Mohanlal Ganj (SC)	Pauli Ram, Vill. Kahirpur P.O. Bakkash, Lucknow (U.P.)	—do—
62.	—do—	—do—	Subhash, Vill. Bhaudri, Mazra-Marui, P.O. Jettikhera, Lucknow (U.P.)	—do—
63.	—do—	—do—	Harbhajan, 551 Kha/93 Kuriyani, Sardari Khara, P.O. Alam Bagh, Lucknow (U.P.)	—do—
64.	—do—	122—Gouriganj	Daya Ram, Vill. Saripur, P.O. Saintha, Sultanpur (U.P.)	—do—
65.	—do—	—do—	Badri Prasad, Vill.—Dulapur Khurd, P.O. Gauriganj, Distt. Sultanpur (U.P.)	—do—
66.	—do—	—do—	Ram Lakhan, Vill. Kachehari, P.O. Gauriganj, Sultanpur, (U.P.)	—do—
67.	—do—	—do—	Sh. Shyam Lal, Vill. Gauripur, P.O. Gauriganj (U.P.)	—do—
68.	—do—	—do—	Sh. Shiv Nath, Vill. Shagarh Sareya, P.O. Sahagarh, Distt. Sultanpur (U.P.)	—do—

1	2	3	4	5
69.	General Election to the Uttar Pradesh Legislative Assembly, 1991	122—Gouriganj	Mohd. Syeed, Vill. & P.O. Aindhi, Sultanpur (U.P.)	Failure to lodge any account of election expenses.
70.	—do—	—do—	Sh. Surendra Bahadur Singh, Vill. Bishundarpur, P.O. Gauriganj, Sultanpur (U.P.)	—do—
71.	—do—	123—Jagdishpur (SC)	Shri Ram Krantikari, E-3186, Rajaji Puram Colony, Lucknow (U.P.)	—do—
72.	—do—	—do—	Sh. Ambar, Vill. Pithula, P.O. Jagesarganj, Distt. Sultanpur (U.P.)	—do—
73.	—do—	—do—	Sh. Laxmi Narain, Vill. Mubarakpur, P.O. Jagdishpur, Distt.—Sultanpur (U.P.)	—do—
74.	—do—	124—Issauli	Sh. Ram Kumar Tiwari, Vill. Jaitapur, P.O. Dhammaur, Sultanpur (U.P.)	—do—
75.	—do—	—do—	Sh. Shiv Shankar, Vill. Bahadurpur, P.O. Pratappur, Distt. Sultanpur (U.P.)	—do—
76.	—do—	125—Sultanpur	Sh. Ramesh Pratap, Vill. & P.O. Dadupur, Sultanpur (U.P.)	—do—
77.	—do—	—do—	Sh. Rajendra, Vill. & P.O. Bhandra, Sultanpur (U.P.)	—do—
78.	—do—	—do—	Sh. Sajeer, Vill. Prupur, P.O. & Distt. Sultanpur (U.P.)	—do—
79.	—do—	—do—	Sh. Habib, Vill. Chhattauma, P.O. & Distt. Sultanpur (U.P.)	—do—
80.	—do—	—do—	Sh. Hiyat, Vill. Prupur, P.O. & Distt. Sultanpur (U.P.)	—do—
81.	—do—	126—Jaisinghpur	Sh. Akhilesh, Vill. Makedih, Post Mawai, Sultanpur (U.P.)	—do—
82.	—do—	—do—	Sh. Amar Bahadur Singh, Vill. Ashapur (Kandervor) Paras Patti, Sultanpur (U.P.)	—do—
83.	—do—	—do—	Sh. Jumona, Vill. & P.O. Gaura, Sultanpur (U.P.)	—do—

1	2	3	4	5
84.	General Election to the Uttar Pradesh Legislative Assembly, 1991	126—Jaisinghpur	Sh. Surendra Pratap, Vill. & P.O. Gaura, Sultanpur (U.P.)	Failure to lodge any account of election expenses
85.	—do—	—do—	Sh. Mathura Prasad, Vill. & Post Gaura, Sultanpur (U.P.)	—do—
86.	—do—	—do—	Sh. Munna, Village & P.O. Dihthaggupur, Sultanpur (U.P.)	—do—
87.	—do—	—do—	Sh. Ram Ashray, Vill. & P.O. Kaithwara, Sultanpur (U.P.)	—do—
88.	—do—	127—Chanda	Sh. Iqbal Ahmed, Mohalla Kairabad, Distt. Sultanpur (U.P.)	—do—
89.	—do—	—do—	Sh. Indramani, Vill. Parasipur, P.O. Ghatampur, Sultanpur (U.P.)	—do—
90.	—do—	—do—	Sh. Kripa Shankar, Vill. & P.O. Ramgarh, Sultanpur (U.P.)	—do—
91.	—do—	—do—	Sh. Tej Bahadur, Vill. & P.O. Maksudan, Sultanpur, (U.P.)	—do—
92.	—do—	—do—	Sh. Rajendra Prasad, Vill. Poonimani, Patti, P.O. Maharani Paschim, Distt. Sultanpur, (U.P.)	—do—
93.	—do—	—do—	Sh. Ram Shiromani, Vill Sahapur, P.O. Dewadh, Sultanpur (U.P.)	—do—
94.	—do—	129—Katheri	Sh. Chhatathu Ram, Vill. & P.O. Chachikpur, Faizabad, (U.P.)	—do—
95.	—do—	—do—	Sh. Zahir, Vill. Uniyar Bazar, P.O. Lalpur, Faizabad (U.P.)	—do—
96.	—do—	—do—	Sh. Ravindra, Vill. Kadanpur, P.O. Kuria Chitauna, Faizabad (U.P.)	—do—
97.	—do—	—do—	Smt. Mithlesh Kumari, Vill. Bhिताura Saripur, Mahboobganj, Faizabad, (U.P.)	—do—
98.	—do—	—do—	Sh. Rambaran Yadav, Vill. & P.O. Asgawan, Faizabad (U.P.)	—do—
99.	—do—	—do—	Sh. Sri Krishan, Vill. Ramapur, P.O. Ankeripur, Faizabad (U.P.)	—do—

1	2	3	4	5
100.	General Election to the Uttar Pradesh Legislative Assembly, 1991.	130-Akbarpur	Sh. Ram Asre, Vill. Baharpur Hazipur, P.O. Malipur, Faizabad. (U.P.)	Failure to lodge any account of election expenses
101.	—do—	—do—	Sh. Shambu Nath, S/o Sh. Gobind Dayal, Shajadpur, Akbarpur. Faizabad. (U.P.)	—do—
102.	—do—	131-Jalalpur	Sh. Arvind, Vill. Paraspur Katui, P.O. Kichhochha, Faizabad (U.P.)	—do—
103.	—do—	—do—	Sh. Jagdish, Vill. Sheikhpur. P.O. Ashrafpur Majhgawan. Faizabad.	—do—
104.	—do—	—do—	Sh. Bachcha Ram, Vill. Jallapur, Masaura, P.O. Katui Jeriam, Faizabad (U.P.)	—do—
105.	—do—	—do—	Sh. Mevalal, Vill. & P.O. Ashrafpur, Bhewa, Faizabad (U.P.)	—do—
106.	—do—	—do—	Sh. Yogendra Pratap Misra, Urf Bablu Mishra, Vill. Sultanpur P.O. Sirharpur, Faizabad (U.P.)	—do—
107.	—do—	—do—	Sh. Bansi, Vill. Murwaha. P.O. Barepur, Faizabad (U.P.)	—do—
108.	—do—	—do—	Sh. Shivpujan, Vill. & P.O. Hanswar, Faizabad (U.P.)	—do—
109.	—do—	—do—	Sh. Saravajeet, Vill. Mahuwal, P.O. Tandwa Maulai, Faizabad (U.P.)	—do—
110.	—do—	132-Jahangirganj (SC)	Sh. Pardesi, Vill. Harsmhar, P.O. Ahibpur, Faizabad (U.P.)	—do—
111.	—do—	—do—	Sh. Satyadev, Vill. & P.O. Badhia, Distt. Azamgarh (U.P.)	—do—
112.	—do—	—do—	Sh. Sukhu Prasad, Vill. & P.O. Sutarpara, Faizabad (U.P.)	—do—
113.	—do—	133-Tanda	Sh. Chhote Lal, Vill. & P.O. Rampur Sakarwari, Faizabad (U.P.)	—do—

1	2	3	4	6
114.	General Election to the Uttar Pradesh Legislative Assembly, 1991.	133--Tanda	Sh. Jai Ram, Vill. Pipri, Vishnupur, (P.O.) Hazalpur. (U.P.)	Failure to lodge any account of election expenses.
115.	—do—	—do—	Sh. Mangru, Moh. Sialpur Rajora, P.O. Mrhudam Nagar, Faizabad (U.P.)	—do—
116.	—do—	—do—	Sh. Ram Murt, Vill. Ninawan, P.O. Dihba Daulatpur, Faizabad (U.P.)	—do—
117.	—do—	—do—	Sh. Shivpujan Verma, Vill. Masena Mirzapur, P.O. Ram Nagar, Faizabad (U.P.)	—do—
118.	—do—	—do—	Sh. Surendra, Vill. Karimpatti, P.O. Faridpur Kalan, Faizabad (U.P.)	—do—
119.	—do—	—do—	Sh. Pardeep Kumar, Mohalla Chhejapur, Tanda, Faizabad (U.P.)	—do—
120.	—do—	134--Ayodhya	Sh. Jai Shanker Pandey, S/o. Sh. Badri., Vill Hazipur, Barsendi Faizabad (U.P.)	—do—
121.	—do—	—do—	Sh. Mahendra Pratap Misra, Ashapur Sarya, Faizabad, (U.P.)	—do—
122.	—do—	135--Bikapur	Sh. Jagan Nath, Sonkhari, Faizabad (U.P.)	—do—
123.	—do—	—do—	Mohd. Jalil urf Jallu, Bhaya, Khemipur Nidhiaba, Faizabad (U.P.)	—do—
124.	—do—	—do—	Sh. Bharat Kumar Singh, Rampur Bagan, Faizabad, (U.P.)	—do—
125.	—do—	—do—	Sh. Ram Avadh Yadav, Bachhram Pur, Faizabad (U.P.)	—do—
126.	—do—	—do—	Sh. Ramnarayan Dubey, Manupur, Faizabad (U.P.)	—do—
127.	—do—	—do—	Sh. Shemser Singh, Chandipur, Faizabad (U.P.)	—do—
128.	—do—	136--Milkipur	Sh. Dev Raj, Vill. Katysahi, P.O. Dharoli, Faizabad (U.P.)	—do—

1	2	3	4	5
129.	General Election to the U.P. Legislative Assembly, 1991	136—Milkipur	Sh. Bir Singh, 803, Khbaspur, Faizabad (U.P.)	Failure to lodge any account of election expenses
130.	—do—	138—Rudauli	Sh. Ashok Kumar, Mohala—Katra, Kasba & P.O. Rudauli, Barabanki (U.P.)	—do—
131.	—do—	—do—	Sh. Jugal Kishor, Vill. Purejmathia Majre Chhandbal, P.O. Udholi, Barabanki (U.P.)	—do—
132.	—do—	—do—	Pahladi, Vill. & P.O. Mathanevada, Barabanki. (U.P.)	—do—
133.	—do—	—do—	Sh. Ramkaran Singh, Vill. Nagbandih, P.O. Devit, Barabanki (U.P.)	—do—
134.	—do—	139—Dariyabad	Sh. Abdul Hamid, Vill. & P.O. Mailarayganj, Barabanki, (U.P.)	—do—
135.	—do—	—do—	Sh. Tej Narayan, Vill. Dekba Mazre Kmoli, P.O. Kmoli, Barabanki, (U.P.)	—do—
136.	—do—	—do—	Sh. Ausaf Ahmed, Vill. Chamroli, P.O. Aliyabad, Barabanki (U.P.)	—do—
137.	—do—	140—Sidhaur	Sh. Ramchander, Vill. Chhotoni, P.O. Kothi, Barabanki, (U.P.)	—do—
138.	—do—	—do—	Sh. Tulsi Ram, Vill. Rajapur, P.O. Thorthiya, Barabanki, (U.P.)	—do—
139.	—do—	141—Haidergarh	Sh. Bashirul Hassan, C/89, Begamganj, Sarabagi, Barabanki (U.P.)	—do—
140.	—do—	—do—	Sh. Jawla, Dulhaderpur P.O. Hadaha, Barabanki (U.P.)	—do—
141.	—do—	142—Masauli	Sh. Geeta Shrivastava, Vill. Baragaon, Barabanki 249/112, Nala Begumganj, Lucknow (U.P.)	—do—

1	2	3	4	5
142.	General Election to the U.P. Legislative Assembly 1991.	142—Masauli	Sh. Kella, Vill. Dhorhra Navabganj. Barabanki, (U.P.)	Failure to lodge any account of election expenses.
143.	—do—	—do—	Sh. Bindusegar, Vill. Chandanpurwa, Nasir Barabanki (U.P.)	—do—
144.	—do—	—do—	Sh. Naval Kishor, Vill. Sursanda, P.O. Shahabpur, Barabanki (U.P.)	—do—
145.	—do—	—do—	Sh. Alimudin, Vill. & P.O. Ahmadpur, Barabanki, (U.P.)	—do—
146.	—do—	—do—	Sh. Dilip Kumar, Vill. Doudpur, P.O. Ukhri, Barabanki, (U.P.)	—do—
147.	—do—	—do—	Sh. Vijay Kumar, Vill. Gursail, P.O. Sadamau, Barabanki, (U.P.)	—do—
148.	—do—	—do—	Sh. Hukam Singh, Vill. Sadamau, P.O. Nabela, Karsanda, Barabanki, (U.P.)	—do—
149*	—do—	143—Nawabganj	Sh. Bilal, 245—Katra, Barabanki, (U.P.)	—do—
150.	—do—	—do—	Sh. Bachulal, Khijirpur, Inayatpur, Barabanki, (U.P.)	—do—
151.	—do—	145—Ramnagar	Sh. Pratap Narain, Mohandva Bhitauli, Barabanki (U.P.)	—do—
152.	—do—	143—Nawabganj	Sh. Jitendra Singh, H. No. 17, Marutipuram, Lucknow (U.P.)	—do—
153.	—do—	146—Kesarganj	Sh. Nanahu Vill. Bambara P.O. Jarbal Road, Bahraich (U.P.)	—do—
154.	—do—	—do—	Sh. Mathura Prasad, Vill. Itiniasmpur, P.O. Kesarganj, Baharaich (U.P.)	—do—
155.	—do—	—do—	Sh. Mijjan, Vill. Kendela, P.O. Raniganj, Bahraich (U.P.)	—do—

1	2	3	4	5
156.	General Election to U.P. Legislative Assembly 1991.	148—Mahsi	Sh. Ved Prakash, 198-Salarganj Bahraich, (U.P.)	Failuer to lodge any account of election expenses.
157.	-do-	-do-	Sh. Gobind Prasad, Vill. & P.O. Raiganj, Distt. Bahraich (U.P.)	-do-
158.	-do-	149—Nanpara	Sh. Athara Husain, Mohala Badihat, P.O. & Distt. Bahraich, (U.P.)	-do-
159.	-do-	-do-	Sh. Shankar Lal, Mohala Jubliganj, P.O. Nanapara, Bahraich (U.P.)	-do-
161.	-do-	-do-	Sh. Haider Husain, Mohala Mirasitola, P.O. Nanapara Bahraich (U.P.)	-do-
161.	-do-	150—Charda (SC)	Sh. Jogi Ram Arya, Vill. Dadora, P.O. Sitkahrna, Distt. Bahraich, (U.P.)	-do-
162.	-do-	-do-	Smt. Shama Devi urf. Laxmidevi Sonkar, P.O. Babaganj, Distt. Baharaich (U.P.)	-do-
162.	-do-	-do-	Sh. Sita Ram, Vill. Lalkagaon, P.O. Tibhrigaon, Bahraich (U.P.)	-do-
164.	-do-	151—Bhinga	Sh. Ramji Yadav, Vill. Husainpur Khurhari, P.O. Sonba, Bahraich (U.P.)	-do-
165.	-do-	-do-	Sh. Kaushal Kumar, P.O. & Kasba Bhinga, Bahraich, (U.P.)	-do-
166.	-do-	152—Bahraich	Sh. Ilias, Mohala Badihat Bahraich (U.P.)	-do-
167.	-do-	-do-	Sh. Frahatulakhan, Mohala Kanipura, Bahraich (U.P.)	-do-
168.	-do-	-do-	Sh. Rahmat, Mohala Wazirganj, Distt. Bahraich (U.P.)	-do-
169.	-do-	-do-	Ramraji Yadav, Vill. Husainpurkhurhari, P.O. Sonva, Distt. Bharaich (U.P.)	-do-

1	2	3	4	5
170.	General Election to the U. P. Legislative Assembly 1991.	153—Ikauna (SC)	Sh. Ram Ujagar, Vill. Bedora Bazar, P.O. Sitayce Jāngal, Distt. Gonda (U.P.)	Failure to lodge any account of election expenses.
171.	-do-	-do-	Sh. Muneshwar, Vill. Bashīriapuraina, P.O. Rampukhera Bahraich (U.P.)	-do-
172.	-do-	154—Gainsari	Mohd. Khaleel Khan, Vill. Sonpur, Sangrampur, P.O. Mankapur, Distt. Gonda (U.P.)	-do-
173.	-do-	-do-	Sh. Virendra Prasad, Vill. Duldinpurdeet, P.O. Sonpur, Distt. Gonda (U.P.)	-do-
174.	-do-	-do-	Shri Rasid Rafik, Vill. & P.O. Gainsari, Distt. Gonda (U.P.)	-do-
175.	-do-	155—Tulsipur	Sh. Anil Singh, Vill. & P.O. Belhu, Janpath Gonda (U.P.)	-do-
176.	-do-	-do-	Sh. Charanjit Pandey, Mohala Bhagbatiganj, Balrampur, Janpath Gonda (U.P.)	-do-
177.	-do-	-do-	Sh. Jai Bhagban urf Jai Prakash, Bansal, Mohala Govind Bagh P.O. Balrampur, Gonda (U.P.)	-do-
178.	Countermanded Election to the U.P. Legislative Assembly 1991.	-do-	Sh. Ram Ujagar, Vill. Hansuwandol P.O. Jabdaha, Distt. Gonda (U.P.)	-do-
179.	-do-	-do-	Sh. Akil Ahmed Khan, Mohala Purba Nai Bazar, Tulsipur, P.O. Tulsipur, Distt. Gonda (U.P.)	-do-
180.	-do-	-do-	Sh. Dhrub Singh, Vill. Bhagbanpur, P.O. Noknima, Distt. Gonda (U.P.)	-do-
181.	-do-	-do-	Sh. Prem Narain, Vill. & P.O. Dharnpur, Teh. Tulsipur, Gonda (U.P.)	-do-
182.	-do-	-do-	Sh. Mangal Prasad, Vill. Bhagbanpur, P.O. Mujhani, Distt. Gonda (U.P.)	-do-

2	3	4	5
183. Countermanded Election to the U. P. Legislative Assembly 1991	155—Tulsipur (Contd.)	Sh. Manoj Kumar Singh, Vill. Navanagar, P.O. Chauhatar Kalan, Distt. Gonda (U.P.)	Failure to lodge any account of election expenses.
184. -do-	-do-	Sh. Mahmood, Vill. Gulriha, P.O. Badalpur Distt. Gonda (U.P.)	-do-
185. -do-	-do-	Sh. Shyam Kumar, Vill. & P.O. Rampurban Gusra, Distt. Gonda (U.P.)	-do-
186. -do-	-do-	Sh. Suresh Kumar Singh, Vill. Mujhani Janpad Gonda (U.P.)	-do-
187. -do-	-do-	Sh. Bhrigunath Misra urf Munan, Vill. Sankari Bankarva, Janpath Gonda (U.P.)	-do-
188. -do-	-do-	Sh. Sushil Kumar, Vill. Mahadev Jamuni, P.O. Dharampur, Teh. Tulsipur, Distt. Gonda (U.P.)	-do-
189. -do-	157—Utraula	Sh. Om Prakash, Vill. P.O. Viahnupur, Tan Tanva, Distt. Gonda (U.P.)	-do-
190. -do-	-do-	Sh. Jmeluerrehman, Vill. Jagruwa, P.O. Camrupur, Atraula, (U.P.)	-do-
191. -do-	158—Sadullanagar	Sh. Ramakant, Vill. Gowaliar Grant, P.O. Datauli, Gonda (U.P.)	-do-
192. -do-	-do-	Sh. Shiv Shankar, Vill. & P.O. Achalpur Ckaudhary, Gonda (U.P.)	-do-
193. General Election to the Uttar Pradesh Legislative Assembly 1991.	-do-	Sh. Pratap Singh, Sonvarsa (Bhairwa) P.O. Badhiya Farid Khan, Gonda (U.P.)	-do-
194. -do-	160—Mujehna	Sh. Rajindora Prasad, Vill. Bandha, P.O. Padri Mirpal, Gonda (U.P.)	-do-
195. -do-	-do-	Sh. Rampal Singh, Vill. Arya Nagar, P.O. Utraula, Gonda (U.P.)	-do-
196. -do-	161—Gonda	Sh. Rahimudin urf Jhame, Mohalla Imambara, Distt. Gonda (U.P.)	-do-
197. -do-	-do-	Sh. Ramfer, Vill. & P.O. Banbaria, Distt. Gonda (U.P.)	-do-

1	2	3	4	5
198.	General Election to the Uttar Pradesh Legislative Assembly 1991.	161—Gonda	Sh. Dashrath Lal, Mohala Dukhharnnath, Station Road, Distt. Gonda (U.P.)	Failure to lodge any account of election expenses.
199.	-do-	-do-	Sh. Balak Ram, Vill. Semradaman, P.O. Bargaon Distt. Gonda (U.P.)	-do-
200.	-do-	162—Katra Bazar	Sh. Mohd. Iqbal, Vill. Bhoka P.O. Basgaon, Purbujai Gonda (U.P.)	-do-
201.	-do-	-do-	Sh. Lal Bahadur Shukla, Vill. Dehras P.O. Mohna, Distt. Gonda (U.P.)	-do-
202.	-do-	163—Colonelganj	Sh. Aditya Prasad, Mohal Gandhi Nagar, Colonelganj, Gonda (U.P.)	-do-
203.	-do-	-do-	Sh. Ashok Kumar, Mohala Gandhi Nagar, Colonelganj, Gonda (U.P.)	-do-
204.	-do-	-do-	Sh. Jugraj, Vill. Kharangupur, Chandpur P.O. Kharangupur Chandpur, Distt. Gonda (U.P.)	-do-
205.	-do-	-do-	Sh. Shanti Chander, Vill. Badipurba, P.O. Khargangupur Chandpur, Distt. Gonda (U.P.)	-do-
206.	-do-	-do-	Sh. Daleep Kumar, R/o Sadar Bazar, Colonelganj Gonda (U.P.)	-do-
207.	-do-	163—Colonelganj	Sh. Apadaharan, Vill. Chandrabampur, P.O. Chatrauli, Distt. Gonda (U.P.)	-do-
208.	Countermanded Election to the U.P. Legislative Assembly 1991.	165—Harraiya	Sh. Chandresh Prasad, Kalianpur, Kudrha, Teh. & Distt. Basti (U.P.)	-do-
209.	-do-	-do-	Sh. Jai Prakash Singh, Rajghat, Harraiya Basti, (U.P.)	-do-
210.	-do-	-do-	Sh. Puranvasi, Vill. Pathra, P.O. Badgo Distt. Gorakhpur, (U.P.)	-do-
211.	-do-	-do-	Sh. Premshanker Singh, Vill. Brypar, P.O. Navayzpar, Jampath Gorakhpur, (U.P.)	-do-

1	2	3	4	5
212.	Countermanded Election to the Legislative Assembly, 1991	165—Harraiva	Sh. Surya Narain, Mainpuri, Jagdishpur, Basti (U.P.)	Failure to lodge any account of election expenses.
213.	-do-	-do-	Sh. Pantham, Vill. Arjanipur, P.O. Parshurampur, Distt. Basti (U.P.)	-do-
214.	-do-	-do-	Sh. Sachala Ram, Vill. Parwarpara, P.O. Sikanderpur, Distt. Basti (U.P.)	-do-
215.	-do-	-do-	Sh. Raghuendra Pratap, Vill. Bapuona, P.O. Parshurampur Distt. Basti (U.P.)	-do-
216.	-do-	155—Tulsipur	Sh. Parasuram Yadav, Vill. Sarrah Menhawa, Post Mehra Jang Jatrai, Distt. Gonda (U.P.)	-do-
217.	-do-	-do-	Sh. A. Rub, Moh. Purani Bazar, Tulsipur, Distt. Gonda (U.P.)	-do-
218.	General Election to U.P. L.A. 1991.	399—Siwalkhas (SC)	Sh. Kaloo Ram, 219/6, Vill. Malyana, Meerut (U.P.)	-do-
219.	General Election to the Uttar Pradesh Legislative Assembly, 1991	166—Captainganj	Sh. Pradeep Singh, Vill. & P.O. Gahua Dabar Distt. Basti (U.P.)	-do-
220.	-do-	168—Basti	Sh. Iswar Dutt, Vill. Pokharvitva, P.O. Dudhara, Distt. Basti (U.P.)	-do-
221.	-do-	-do-	Sh. Khaddar, Vill. Turkli, P.O. Amroli Samoli Distt. Basti (U.P.)	-do-
222.	-do-	-do-	Sh. Praduman Kumar Shukla, Vill. Bhor, Niranjpur, P.O. Civil Lines, Basti (U.P.)	-do-
223.	-do-	-do-	Sh. Pramatta Prasad, Vill. Khajua, P.O. Captainganj, Basti (U.P.)	-do-
224.	-do-	-do-	Sh. Ramkaran, Vill. Bankashi, P.O. Aurvara, Distt. Basti (U.P.)	-do-
225.	-do-	-do-	Sh. Ram Vilas, Vill. Mudha Deha, Halmukak, Jagdishpur, P.O. Munderva Basti (U.P.)	-do-

1	2	3	4	5
226.	General Election to the Uttar Pradesh Legislative Assembly 1991.	163 -Basti	Sh. Ram Shabad, Vill. Manjbaria Shukla, P.O. Purani Basti (U.P.)	Failure to lodge any account of election expenses.
227.	-do-	-do-	Sh. Satyadev, Vill. Sripalpur, P.O. Valtarganj, Basti (U.P.)	-do-
228.	-do-	-do-	Sh. Sita Ram, Vill. Itali, P.O. Kasali Basti (U.P.)	-do-
229.	-do-	-do-	Smt. Shanti, Vill. & P.O. Krah Pithia, Basti, (U.P.)	-do-
230.	-do-	169—Ram Nagar	Sh. Ram Kewal, Vill. Lewarpur, P.O. Parsa Damkha Basti (U.P.)	-do-
231.	-do-	-do-	Sh. Barkhu Prasad, Vill. Akdangva P.O. Sohna Basti, (U.P.)	-do-
232.	-do-	-do-	Sh. Durga Prasad Vill. Chandukha, P.O. Shankerpur, Distt. Basti, (U.P.)	-do-
233.	-do-	176—Menhdawal	Sh. Savarjeet, Vill. Dahrvaafi, P.O. Kusra Saheed Basti, (U.P.)	-do-
234.	-do-	-do-	Sh. Pappu, Vill. Mududiha Khurd, P.O. Usra Shaheed Basti (U.P.)	-do-
235.	-do-	-do-	Sh. Menudin, Vill. & P.O. Semariavan Basti (U.P.)	-do-
236.	-do-	-do-	Sh. Shamim Ahmad, Vill. Kajipur, Magar P.O. Kajipur Basti, (U.P.)	-do-
237.	-do-	183—Mundera Bazar	Sh. Sugreev, Vill. Snowarsa P.O. Balapar, Distt. Gorakhpur, (U.P.)	-do-
238.	-do-	184—Pipraich	Sh. Paras Nath, Vill. Khathankhas, P.O. Tola Barkan, Gorakhpur, (U.P.)	-do-
239.	-do-	185—Gorakhpur	Sh. Wahid Ali, Jungalmatadin Hakim No. 1 P.O. Padari Bazar, Gorakhpur (U.P.)	-do-
240.	-do-	-do-	Sh. Kishor Asthana, Chhote Kajipur, Gorakhpur, (U.P.)	-do-
241.	-do-	-do-	Sh. Gurjeet, Bakshipur, Gorakhpur, (U.P.)	-do-

1	2	3	4	5
242.	General Election to the Uttar Pradesh Legislative Assembly 1991.	185—Gorakhpur	Sh. Sri Nath, Raiganj South, Gorakhpur, (U.P.)	Failure to lodge any account of election expenses.
243.	-do-	-do-	Sh. Kripa Shankar Shrivastava Basantpur, Gorakhpur (U.P.)	-do-
244.	-do-	-do-	Sh. Shiv Kumar, Tarkmanpur, Gorakhpur (U.P.)	-do-
245.	-do-	-do-	Sh. Ahmad, Khunipur, Gorakhpur, (U.P.)	-do-
246.	-do-	-do-	Smt. Suman didi, Basantpur, Gorakhpur, (U.P.)	-do-
247.	-do-	-do-	Sh. Mahmood, Beharampur, Gorakhpur, (U.P.)	-do-
248.	-do-	186—Maniram	Sh. Ashok Kumar Singh, Kushwaha, Vill. Himoyanpur South, House No. 110 Gorakhpur (U.P.)	-do-
249.	-do-	-do-	Sh. Ram Chander Mohala Gorakh R/o Gorakhnath, Gorakhpur (U.P.)	-do-
250.	-do-	-do-	Sh. Omprakash Nisad, R/o Jungal Salifram, Ansik Jungal Shivpur urf Sahabganj, P.O. Padhri Bazar, Gorakhpur, (U.P.)	-do-
251.	-do-	188—Paniara	Sh. Om Prakash, Vill. Chaumukha, P.O. Kampiarganj, Gorakhpur (U.P.)	-do-
252.	-do-	-do-	Sh. Kedar, Vill. Basdila, P.O. Kmasion Khurd, Maharajganj, (U.P.)	-do-
253.	-do-	-do-	Sh. Govind Dass, Ward No. 2 P.O. Pipiganj, Gorakhpur, (U.P.)	-do-
254.	-do-	-do-	Sh. Dinanath Mishar, Vill. Basdila, P.O. Kmasin Khurd, Distt. Maharajganj (U.P.)	-do-
255.	-do-	-do-	Sh. Funni, Vill. Chandan Chafi, P.O. Paniara, Maharajganj, (U.P.)	-do-

1	2	3	4	5
256.	General Election to the Uttar Pradesh Legislative Assembly 1991.	188—Paniara	Sh. Bale Ram, Towan Arca Ward No. 3, Pipiganj, Gorakhpur, (U.P.)	Failure to lodge any account of election expenses.
257.	-do-	-do-	Sh. Suresh, Vill. Bargdahi, P.O. Machhli Gaon, Gorakhpur, (U.P.)	-do-
258.	-do-	189—Pharenda	Sh. Ambika, Vill. Bandua, P.O. Marhatha, Distt. Gorakhpur (U.P.)	-do-
259.	-do-	-do-	Sh. Iltaf, Vill. Babhni Bajurg, P.O. Kolhui Bazar, Maharajganj, (U.P.)	-do-
260.	-do-	-do-	Sh. Prem Kumar, Vill. Dhani, P.O. Dhani, Bazar, Maharajganj, (U.P.)	-do-
261.	-do-	188—Paniara	Sh. Nathuni, Vill. & P.O. Bherwa, Distt. Maharajganj (U.P.)	-do-
262.	-do-	190—Lakshmipur	Mohd. Murtja, Vill. Neuvadih P.O. Devpur Adda Bazar, Maharajganj, (U.P.)	-do-
263.	-do-	-do-	Sh. Sureshmani, Vill. Jugauli, P.O. Sonari, Distt. Maharajganj, (U.P.)	-do-
264.	-do-	191—Siswa	Sh. Dani, Mithora, Distt. Maharajganj, (U.P.)	-do-
265.	-do-	-do-	Sh. Rajesh, R/o Askarganj, Distt. Gorakhpur, (U.P.)	-do-
266.	-do-	192—Maharajganj (SC)	Sh. Chandrika, R/o Sahapur, (Khakhar Bhawan) Geeta Batika Gorakhpur, (U.P.)	-do-
267.	-do-	194—Naurangia	Sh. Rama S/o Sukai, Vill. Idarpur, P.O. Laxmiganj Distt. Deoria (U.P.)	-do-
268.	-do-	195—Ramkola	Sh. Ghan Shyam Gorakhpuri Vill. & P.O. Bodkhar, Deoria, (U.P.)	-do-
269.	-do-	-do-	Sh. Daroga, Vill. Ahiroli Bazar, Deoria (U.P.)	-do-
270.	-do-	-do-	Sh. Laxmi Prasad, Vill. & P.O. Ramkola, Deoria (U.P.)	-do-

1	2	3	4	5
271.	General Election to the Uttar Pradesh Legislative Assembly, 1991.	196—Hata (SC)	Sh. Hiranman, Vill. Bandu Chhapra, P.O. Padrona, Distt. Deoria (U.P.)	Failure to lodge any account of election expenses.
272.	-do-	-do-	Sh. Chandrabhan, Vill. & P.O. Raipur, Distt. Deoria (U.P.)	-do-
273.	-do-	197—Padrauna	Sh. Asraf, Burgaban, P.O. Naurangia, Padrauna, Deoria (U.P.)	-do-
274.	-do-	-do-	Sh. Jogendra, Vill. Arnhava, P.O. Maghi Kothilva Deoria (U.P.)	-do-
275.	-do-	-do-	Sh. Vinya Prakash, Vill. & P.O. Chinimil, Padrauna, Deoria (U.P.)	-do-
276.	-do-	198—Seorahi	Sh. Kamal Prasad, Vill. Rajpur Khas, P.O. Pipraghat, Deoria, (U.P.)	-do-
277.	-do-	-do-	Sh. Yashoda, Vill. & P.O. Seorahi Ward No. 12 Distt. Deoria (U.P.)	-do-
278.	-do-	-do-	Sh. Radha Krishan, Vill. Sevrhi, Ward No. 9 H. No. 96, Distt. Deoria (U.P.)	-do-
279.	-do-	-do-	Sh. Brij Kishor Gupta, Vill. Seorahi, Distt. Deoria, (U.P.)	-do-
280.	-do-	-do-	Sh. Hafizulah Urf Hafiz Ansari, P.O. Madhopur Bujurg Distt. Deoria (U.P.)	-do-
281.	-do-	199—Fazilnagar	Sh. Keshav Pathak, Vill. & P.O. Bihar, Distt. Deoria, (U.P.)	-do-
282.	-do-	197—Padrauna	Sh. Ramachen, Vill. Narchaunchwan P.O. Bilkuriya Deoria (U.P.)	-do-
283.	-do-	199—Fezilnagar	Sh. Safulah, Vill. Naktaha Vasdila, P.O. Kuber Sthan, Deoria, (U.P.)	-do-
284.	-do-	-do-	Sh. Ganga Singh, Vill. Narainpur, P.O. Shankar Patkhauli, Deoria (U.P.)	-do-

1	2	3	4	5
285.	General Election to the Uttar Pradesh Legislative Assembly, 1991.	200—Kasia	Sh. Balabh Sharan Vill. Gopalgarh, P.O. Kasia, Deoria (U.P.)	Failure to lodge any account of election expenses.
286.	-do-	-do-	Sh. Yogeshwar, Vill. & P.O. Sirsiya Khohia Deoria (U.P.)	-do-
287.	-do-	-do-	Sh. Ram Nath, Vill. Mangalpur, P.O. Sirsiya Khohia, Deoria (U.P.)	-do-
288.	-do-	-do-	Sh. Surgeev, Vill. Bhelipatti P.O. Pathar Deva, Deoria (U.P.)	-do-
289.	-do-	207—Nathupur	Sh. Krishan Kant, Vill. Usriachak, P.O. Bahadur, Distt. Mau, (U.P.)	-do-
290.	-do-	-do-	Sh. Parshu Ram, Vill. Bhedkal Sultanpur P.O. Parshia Jai Ram Giri, Distt. Mau (U.P.)	-do-
291.	-do-	208—Ghosi	Sh. Matai, Vill. Mohammadpur, P.O. Panael, Mau (U.P.)	-do-
292.	-do-	-do-	Sh. Pradeep, Vill. nil Vihato Mau (U.P.)	-do-
293.	-do-	220—Mau	Sh. Ahmad Hasan, Vill. Imlia (Bunkar Colony) P.O. Maunathbanjan, Mau (U.P.)	-do-
294.	-do-	221—Rasra (SC)	Sh. Mahabir, Vill. Baka, P.O. Meudikalan, Distt. Ballia (U.P.)	-do-
295.	-do-	-do-	Sh. Kamta, Vill. & P.O. Rahua, Distt. Ballia (U.P.)	-do-
296.	-do-	227—Ballia	Sh. Prem Nath, Vill. & P.O. Shiv Ram Pur Dear, Distt.f Ballia (U.P.)	-do-
297.	-do-	237—Dhanpur	Sh. Ravi Prakash, Vill. & P.O. Javriabad, Varanasi (U.P.) Assembly 1991.	-do-
298.	-do-	-do-	Sh. Sachidanand, Vill. Jamuda, P.O. Ghosva Varanasi (U.P.)	-do-
299.	-do-	240—Mughalsarai,	Sh. Bharat Lal, Vill. & P.O. Katesar, Varanasi (U.P.)	-do-

1	2	3	4	5
300.	General Election to the Uttar Pradesh Legislative Assembly 1991.	-do-	Sh. Virendra Kumar, Kalimahai, Varanasi (U.P.)	Failure to lodge any account of election expenses.
301.	-do-	-do-	Sh. Harish Chandra Bharti, Goaraya, Ram Nagar, Varanasi, (U.P.)	-do-
302.	-do-	-do-	Sh. Ram Ji, 12/75, Adhupchandi, Varanasi, (U.P.)	-do-
303.	-do-	241—Varanasi Canton- ment	Sh. Uma Shankar, D-57/58 Sidhigiri, Bagh Varanasi (U.P.)	-do-
304.	-do-	-do-	Sh. Kunia, D-65/544, Lahertara, Varanasi (U.P.)	-do-
305.	-do-	242—Varanasi South	Sh. Sarwar Khan, C.K. 58/5, Sarai Kitab Rai, Varanasi (U.P.)	-do-
306.	-do-	243—Varanasi North	Sh. Hari Narain Pandey, 27/40, Jagatganj, Varanasi (U.P.)	-do-
307.	-do-	-do-	Sh. Umesh Kumar Rai, 27/249 B. Jagatganj, Varanasi (U.P.)	-do-
308.	-do-	244—Chirai Gaon	Sh. Ram Ratan Singh Chauhan, Phulpur, Pachravan, Varanasi (U.P.)	-do-
309.	-do-	-do-	Sh. Vipat, Vill. Aura, P.O. Murdha, Varanasi (U.P.)	-do-
310.	-do-	-do-	Sh. Sobaru, Rajapur Chamauli, Varanasi (U.P.)	-do-
311.	-do-	-do-	Sh. Hausila Prasad Mishra, Jairampur, Munari, Varanasi (U.P.)	-do-
312.	-do-	246—Gangapur	Sh. Shyama, Braganesh, Lohitia, Varanasi (U.P.)	-do-
313.	-do-	-do-	Sh. Ramdhani, Vill. Meghgaon, P.O. Jakirvani, Varanasi (U.P.)	-do-
314.	-do-	247—Aurai	Sh. Mahendra, Kumar, Vill. Thathra, Varanasi, (U.P.)	-do-
315.	-do-	-do-	Sh. Surendra Kumar, Vill. Mardanpur, P.O. Domahpur Berhesh, Varanasi (U.P.)	-do-
316.	-do-	249—Bhadohi (SC)	Sh. Shitla, Vill. Kasidaha, P.O. Nathaipur, Gianpur Varanasi (U.P.)	-do-

1	2	3	4	5
317.	General Election to the Uttar Pradesh Legislative Assembly 1991.	253—Beyalsi	Sh. Ramnain Yadav, Vill. Kafarpur, Joanpur, (U.P.)	Failure to lodge any account of election expenses.
318.	-do-	-do-	Sh. Hori Lal, Vill. Sehmalpur, P.O. Jalalpur, Joanpur (U.P.)	-do-
319.	-do-	255—Rari	Sh. Amar Nath Mishra, Bolahata, Barpur, Jaunpur, (U.P.)	-do-
320.	-do-	-do-	Sh. Inar Pal, Sekhpura, Teji Bazar, Jaunpur (U.P.)	-do-
321.	-do-	-do-	Sh. Jayanti Prasad Yadav, Palpur Muradganj, Jaunpur (U.P.)	-do-
322.	-do-	-do-	Sh. Dharam Raj, Jagdishpur Jaunpur (U.P.)	-do-
323.	-do-	-do-	Sh. Virender, Bibipur Guljarganj, Jaunpur, (U.P.)	-do-
324.	-do-	258—Garwara	Sh. Tribhuvan Singh, Vill. Banki, P.O. Sikrara, Jaunpur (U.P.)	-do-
325.	-do-	-do-	Daya Shankar Dube, Vill. & P.O. Dhema, Jaunpur (U.P.)	-do-
326.	-do-	-do-	Sh. Davenda Mani, Vill. Barpur, Balverganj, Jaunpur, (U.P.)	-do-
327.	-do-	-do-	Sh. Baba, Vill. Kamrel, P.O. Sultanpur, Jaunpur (U.P.)	-do-
328.	-do-	-do-	Sh. Mahendra Pratap Yadav, Vill. & P.O. Barhatra, Jaunpur (U.P.)	-do-
329.	-do-	-do-	Sh. Shitla Prasad Tiwari, Vill. Bargo, P.O. Badhupur, Jaunpur (U.P.)	-do-
330.	-do-	-do-	Sh. Raghu Nath Singh, Vill. Ram Nagar Cheri, P.O. Shankarganj, Jaunpur, (U.P.)	-do-
331.	-do-	-do-	Sh. Sisdhu Rai, Vill. Karmauli, P.O. Dan, Jaunpur, (U.P.)	-do-
332.	-do-	259—Machhili Shahr	Sh. Kamala Prasad, Niwasi Rampur Kala, P.O. Tilorer Jaunpur, (U.P.)	-do-

1	2	3	4	5
333.	General Election to the Uttar Pradesh Legislative Assembly 1991.	259—Machhli Shahar	Sh. Punavasi, Niwasi Bermon, P.O. Modhupur, Jaunpur (U.P.)	Failure to lodge any account of election expenses.
334.	-do-	-do-	Sh. Ramakanta, Niwasi Chauki Khurd, P.O. Kishundaspur, Jaunpur, (U.P.)	-do-
335.	-do-	-do-	Sh. Ramosh Chandra Niwasi & P.O. Tilora, Jaunpur (U.P.)	-do-
336.	-do-	-do-	Sh. Raj Bahadur Singh Vats, Niwasi Narayandih, P.O. Sohasa, Jaunpur, (U.P.)	-do-
337.	-do-	262—Rajgarh	Sh. Nanku, Vill. Bhainswar, Semarhiya, P.O. Dhorawal, Sonbhadra (U.P.)	-do-
338.	-do-	290—Kanpur Cantonment	Sh. Islam Mohammad, 310, Nai Basti Lal Colony, Kanpur (U.P.)	-do-
339.	-do-	294—Ghatampur	Sh. Arvind Kumar, Pras, Kanpur Dehat, (U.P.)	-do-
340.	-do-	-do-	Sh. Alakh Narain, Darori Niwada, Kanpur Dehat (U.P.)	-do-
341.	-do-	-do-	Sh. Dharmendra Singh, Rampur, Kanpur Dehat, (U.P.)	-do-
342.	-do-	-do-	Sh. Pawan Kumar, Tiwaripur Sahu, Kanpur Dehat (U.P.)	-do-
343.	-do-	-do-	Sh. Raj Bahadur Singh urf Dhisu, Shastri Nagar, Ghatampur, Kanpur, (U.P.)	-do-
344.	-do-	-do-	Sh. Rajendra Kumar Yadav, Ratepur, Kanpur Dehat, (U.P.)	-do-
345.	-do-	-do-	Sh. Ram Kishor, Chaubepur, Kanpur Dehat, (U.P.)	-do-
346.	-do-	-do-	Sh. Ram Sowak, Husaina, Kanpur Dehat, (U.P.)	-do-
347.	-do-	-do-	Sh. Hem Chandra, Birhar, Kanpur Dehat, (U.P.)	-do-
348.	-do-	296—Rajpur	Sh. Azam, Satti, Distt. Kanpur Dehat, (U.P.)	-do-

1	2	3	4	5
349.	General Election to the Uttar Pradesh Legislative Assembly 1991	296—Rajpur	Sh. Dash Rath Singh Sachan, Vill. & P.O. Jalalpur, Distt. Kanpur Dehat (U.P.)	Failure to lodge any account of election expenses
350.	-do-	-do-	Sh. Ravinda, Vill. & P.O. Minapur, Distt. Kanpur Dehat (U.P.)	-do-
351.	-do-	298—Chaubepur	Sh. Dev Narin Hardia Nata Shivli, Kanpur Dehat (U.P.)	-do-
352.	-do-	-do-	Sh. Devendra Merhamtabad Bhivan, Kanpur Dehat (U.P.)	-do-
353.	-do-	-do-	Sh. Prem Narain Prem Mandhna Kanpur Dehat (U.P.)	-do-
354.	-do-	-do-	Sh. Ram Kishan Tiwari 71 Veshnav Nagar Kanpur Dehat (U.P.)	-do-
355.	-do-	-do-	Sh. Vijay Prakash Agnihotri Khera Kursi Kanpur Dehat (U.P.)	-do-
356.	-do-	-do-	Sh. Vimla Yadav Dr. Ambedkar Nagar Vijay Nagar Kanpur (U.P.)	-do-
357.	-do-	300—Derapur	Sh. Daya Ram Sankhwar Salempur Mehra Kanpur Dehat (U.P.)	-do-
358.	-do-	-do-	Sh. Ramesh Chandra Yadav Vill. Jhuria Jhijhak Kanpur Dehat (U.P.)	-do-
359.	-do-	-do-	Sh. Shiv Ram Singh Vill. Mitarsenpur Krinjari Kanpur Dehat (U.P.)	-do-
360.	Countermanded Election to the U.P. Legislative Assembly 1991.	302—Ajitmal (SC)	Sh. Navab Singh Vill. Puvi Talab P.O. Chapra Distt. Etawah, (U.P.)	-do-
361.	-do-	-do-	Sh. Balak Ram Muradganj Etawah (U.P.)	-do-
362.	-do-	-do-	Sh. Lalta Prasad, Jaganpur, P.O. Bhurepur Kalan, Distt. Etawah (U.P.)	-do-
363.	-do-	-do-	Sh. Santosh Kumar, Vill. Purvi Udot, P.O. Biruhani, Distt. Etawah (U.P.)	-do-
364.	-do-	-do-	Sh. Siya Ram Koli, Nandlal ka Purvi, P.O. Biruhani, Distt. Etawah (U.P.)	-do-

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365.	Countermanded Election to the Uttar Pradesh Legislative Assembly 1991.	302—Ajitmal (SC)	Sh. Sukhvir Singh., Prem Nagar Insulia. P.O. Muradganj, Distt. Etawah (U.P.)	Failure to lodge any account of election expenses.
366.	-do-	-do-	Sh. Suresh Kumar, Ambedkar Nagar, Ajitmal, Etawah, (U.P.)	-do-
367.	-do-	304—Etawah	Sh. Rakesh Kanoniya, Mohala Jafri, Fatehgarh. Farukhabad, (U.P.)	-do-
368.	-do-	305—Jaswant Nagar	Sh. Kailash Babu, House No. 46/1, Wazidpur, Siwan Raneri Jajmau Kanpur (U.P.)	-do-
369.	-do-	-do-	Sh. Gaya Prasad, Vill. N. Sewa, P.O. Kuia, Etawah (U.P.)	-do-
370.	-do-	-do-	Sh. Tofan Singh, Vill. Nagla Hira Lal, Etgaon, Kharili, Etawah (U.P.)	-do-
371.	-do-	-do-	Sh. Indoreel Singh, Vill. Mohanpur, P.O. Hardoi, Etawah (U.P.)	-do-
372.	-do-	305—Jaswant Nagar	Sh. Naresh Singh, Bare Bojh P.O. Hardoi, Etawah (U.P.)	-do-
373.	-do-	-do-	Sh. Mulayam Singh, Sro Sh. Patiram, Nagla Ajab Ranuan, P.O. Ginja (U.P.)	-do-
374.	-do-	-do-	Sh. Raghuvir Singh, Vill. Manikpur, P.O. Hardoi Etawah (U.P.)	-do-
375.	-do-	-do-	Sh. Rajesh Kumar, 34 A, Ghatia Ajmat Ali, Etawah (U.P.)	-do-
376.	-do-	-do-	Sh. Rajeev Kumar, Vill. Sahasapur, P.O. Kumhavar, Etawah (U.P.)	-do-
377.	-do-	-do-	Sh. Ram Sewak, Vill. Gangapur, P.O. Chaubia, Etawah (U.P.)	-do-
378.	-do-	-do-	Sh. Satya Praash, Katra Khubchand, Jaswant Nagar, Etawah, (U.P.)	-do-

1	2	3	4	5
379.	General Election to the Uttar Pradesh Legislative Assembly, 1991.	305—Jaswant Nagar	Sh. Piush Kumar, Rajeev Gandhi Nagar, Farukhabad (Garhi Navab Niyamat Khan) (U.P.)	Failure to lodge any account of election expenses.
380.	-do-	-do-	Sh. Susheel Kumar, Nehru Road, Farukhabad (U.P.)	-do-
381.	-do-	-do-	Sh. Suraj Pal, Vill. Niloi, P.O. Niloi Etawah (U.P.)	-do-
382.	-do-	-do-	Sh. Gulam Kiwria, Purana Bazar, Nanpara, Bahraich (U.P.)	-do-
383.	-do-	309—Umardha	Sh. Rajinder Singh, Vill. Ashainairpur, P.O. Janitnagar, (U.P.)	-do-
384.	-do-	-do-	Sh. Ram Prakash Verma Vill. & P.O. Gadanpur Turra (U.P.)	-do-
385.	-do-	-do-	Sh. Babu Ram, Vill. Nikripur, P.O. Umratha (U.P.)	-do-
386.	-do-	-do-	Sh. Ram Sewak, Vill. Mahtepurva, P.O. Thathia (U.P.)	-do-
387.	-do-	-do-	Smt. Ramnandni Verma, Mohala Sipahi Thakur, Kanauj (U.P.)	-do-
388.	-do-	-do-	Sh. Ramgopal Verma, Vill. Machhipurmauzandemau P.O. Nandamau (U.P.)	-do-
389.	-do-	311—Kamalganj	Sh. Rakesh Katiar, Vill. Praukhal Farukhabad (U.P.)	-do-
390.	-do-	319—Banda	Sh. Ganesh S/o Sh. Ramlal, Vill. & P.O. Keri, Distt. Banda (U.P.)	-do-
391.	-do-	-do-	Sh. Pituva, Vill. Gureh, P.O. Gureh, Distt. Banda (U.P.)	-do-
392.	-do-	-do-	Sh. Mohd. Farukh, Mohala Chhiparhari Mardannaka Banda (U.P.)	-do-
393.	-do-	-do-	Sh. Ram Sawroop, Vill. Bharkhari, P.O. Katrawal, Distt. Banda (U.P.)	-do-
394.	-do-	321—Hamirpur	Sh. Baijnath, Vill. Baragaon, Distt. Hamirpur (U.P.)	-do-
395.	-do-	323—Rath	Sh. Shivkaran Tiwari, Vill. & P.O. Khera, Silajeet, Hamirur (U.P.)	-do-
396.	-do-	-do-	Sh. Vishnu Kant, Vill. & P.O. Bhasai, Hamirpur (U.P.)	-do-

1	2	3	4	5
397.	General Election to the Uttar Pradesh Legislative Assembly, 1991	328-Jhansi	Sh. Arun Kumar Sexsena 174, Toria Narsingh Rao, Jhansi (U.P.)	Failure to lodge any account of election expenses,
398.	-do-	-do-	Mohd. Aslam, Purani Kotwali, Jhansi (U.P.)	-do-
399.	-do-	-do-	Sh. Om Prakash, 1/99 Gundu Compound Sipri Bazar, Jhansi (U.P.)	-do-
400.	-do-	-do-	Sh. Ganesh, 189/4 Civil Lines, Jhansi (U.P.)	-do-
401.	-do-	-do-	Sh. Jagat Singh Yadav, 114 Jugiana, Jhansi (U.P.)	-do-
402.	-do-	-do-	Sh. Jugal Kishor, 8/1 Chamariana, Prem Nagar, Jhansi (U.P.)	-do-
403.	-do-	-do-	Sayed Julfikar Abadi, 120 Mavatipura Jhansi (U.P.)	-do-
404.	-do-	-do-	Sh. Deepak Sharma, 719, Civil Lines, Jhansi (U.P.)	-do-
405.	-do-	-do-	Sh. Davendar Kumar Vill. & P.O. Mauda Teh. Maura nipur, Distt. Jhansi (U.P.)	-do-
406.	-do-	-do-	Sh. Dharmvir, 84, Outside Hia Gate, Jhansi (U.P.)	-do-
407.	-do-	-do-	Sh. Promod, 469, Sadar Bazar, Jhansi (U.P.)	-do-
408.	-do-	-do-	Sh. Ram Babu Yadav (Pradan) 37 Nai Basti Jhansi (U.P.)	-do-
409.	-do-	-do-	Sh. Lala Ram Visvakarma, Advocate 356/17, Jhokan Bagh, Jhansi (U.P.)	-do-
410.	-do-	-do-	Sh. Suraj Prasad, 95, Panna Lal, Jhansi (U.P.)	-do-
411.	-do-	-do-	Sh. Harish Kumar 179/8 Outside, Khaderaoger, Jhansi (U.P.)	-do-
412.	-do-	-do-	Sh. Babu Lal Tiwari, Jugiana, Jhansi (U.P.)	-do-
413.	-do-	-do-	Sh. Mohan Lal, 156, Medical College Jhansi (U.P.)	-do-

1	2	3	4	5
414.	General Election to the Uttar Pradesh Legislative Assembly 1991.	329-Bubina (SC)	Sh. Jagdish, Village & P.O. Karari Jhansi (U.P.)	Failure to lodge any account of election expenses
415.	-do-	330-Mauranipur (SC)	Sh. Daya Ram, Vill. Palipahari, Post Raksha (U.P.)	-do-
416.	-do-	331-Garoutha	Sh. Virendra, 189-A Pahadgaon, Kinch, Jalon (U.P.)	-do-
417.	-do-	-do-	Sh. Muneem Kumar, Vill. Pali Pahari, P.O. Rksa, Distt. Jhansi (U.P.)	-do-
418.	-do-	332-Konch (SC)	Sh. Ramkishun, Vill. & P.O. Hardoi Gular Distt. Jalaun, (U.P.)	-do-
419.	-do-	334-Kalpi	Smt. Vimal, Vill. Tarsoor P.O. Sirsa, Kalar. Distt. Jalaun (U.P.)	-do-
420.	-do-	336-Bhongaon	Sh. Kunwar Pal, Vill. Hira pur, P.O. Madhkarpur, Mainpuri, (U.P.)	-do-
421.	-do-	-do-	Sh. Rakesh Babu Yadav, Vill. Pragpur, P.O. Garia, Chhinkaura, Mainpuri (U.P.)	-do-
422.	-do-	337-Kishni (SC)	Sh. Mijaji, Nagala Bahara pur Hauza, Hindupur, Post Jasmai Mainpuri (U.P.)	-do-
423.	-do-	338-Karhal	Sh. Subhash Kumar, Vill. Nagla Doasi Post Rochan Manikpur Firozabad (U.P.)	-do-
424.	-do-	-do-	Sh. Ganga Prasad, Vill. Ikharra, P.O. Barnahal, Mainpuri (U.P.)	-do-
425.	-do-	-do-	Sh. Tota Ram, Vill. Hudgaon, P.O. Anjani, Mainpuri (U.P.)	-do-
426.	-do-	-do-	Sh. Daya Ram Vill. Naurmai P.O. Kharoya Mainpuri (U.P.)	-do-
427.	-do-	-do-	Sh. Raj Bahadur Singh Vill. Khushalpur P.O. Barnahal Mainpuri (U.P.)	-do-
428.	-do-	339-Shikohabad	Sh. Raj Kumar Vill. Atepur P.O. Madanpur Firozabad (U.P.)	-do-

1	2	3	4	5
429.	General Election to the Uttar Pradesh Legislative Assembly 1991	342—Mainpuri	Sh. Satish Chandra Kashyap, Vill. & P.O. Alupura, Mainpuri (U.P.)	Failure to lodge any account of election expenses.
430.	-do-	348—Etah	Sh. Rameshwar, Vill. Husainpur bailipur, P.O. Rajpur, Distt. Etah (U.P.)	-do-
431.	-do-	351—Firozabad	Sh. Ahibran Singh, Niwasi Dakshini Chhapi Mainpuri (U.P.)	-do-
432.	-do-	-do-	Sh. Kunj Biharilal, 13, Ganj Harinagar, Firozabad (U.P.)	-do-
433.	-do-	-do-	Sh. Bhum, Jeet, Mohamedpur, Bihari, Firozabad (U.P.)	-do-
434.	-do-	-do-	Sh. Rajaram, Dev Nagar, Firozabad (U.P.)	-do-
435.	-do-	-do-	Sh. Savir Hashimi, Niwasi Bagia, Firozabad (U.P.)	-do-
436.	-do-	353—Fatehabad	Sh. Manohar Singh Vill & P.O. Sahapur Tola, Agra (U.P.)	-do-
437.	-do-	-do-	Sh. Ramji Lal, Mohanpur (Dahrapur) Fatehabad (U.P.)	-do-
438.	-do-	-do-	Sh. Santosh Kumar, Kalakhedia Tora, Agra (U.P.)	-do-
439.	-do-	-do-	Sh. Saudan Singh Kushwaha, Nagla Mewa P.O. Lehra Shamshabad, Agra (U.P.)	-do-
440.	-do-	354—Tundla (SC)	Sh. Hari Vilas, Tapakalan? Sukhmalpur Firozabad (U.P.)	-do-
441.	-do-	355—Etmadpur (SC)	Sh. Nihal Singh, Satauli, Atmadpur, Agra (U.P.)	-do-
442.	-do-	-do-	Sh. Subhash Kumar (Sagar) Pachokhara, Firozabad (U.P.)	-do-
443.	-do-	356—Dayalbagh	Sh. Manohar Lal, Jaganpur Vela, P.O. Dayalbagh Agra (U.P.)	-do-
444.	-do-	-do-	Sh. Hari Mohan, Vill. Bamroli Ahir, Agra (U.P.)	-do-
445.	-do-	-do-	Sh. Devendra, Nagla Harlal Rathori, Agra (U.P.)	-do-
446.	-do-	357—Agra Cantonment	Sh. Tirloki, 21/118, Chhipitola, Agra (U.P.)	-do-

1	2	3	4	5
447.	General Election to the Uttar Pradesh Legislative Assembly, 1991.	357—Agra Cantonment	Sh. Manoj, S/o Sh. Mahesh Chand, 9/316, Moti Katra, Agra (U.P.)	Failure to lodge any account of election expenses.
448.	-do-	-do-	Sh. Yubraj Singh, 9/392, Moti Katra, Agra (U.P.)	-do-
449.	-do-	-do-	Sh. Rajindra Choudhari, 16/178 Gundapara, Sadar Bhatti, Agra (U.P.)	-do-
450.	-do-	-do-	Sh. Ram Sewak Singh, 9/674 Moti Katra, Agra (U.P.)	-do-
451.	-do-	-do-	Sh. Harash Kumar, 8/222, Hing Ki Mandi, Agra (U.P.)	-do-
452.	-do-	-do-	Sh. Mahesh Chand, 13/93, Halakmadan, Nai Ki Mandi Agra (U.P.)	-do-
453.	-do-	-do-	Smt. Kiran Lata, 25/34A, Brai Khurd, Tajganj, Agra, (U.P.)	-do-
454.	-do-	-do-	Sh. Promod Kumar Gupta, 24/66 Kaji Para, Agra (U.P.)	-do-
455.	-do-	-do-	Sh. Yogesh, 30/55, Kumharpara, Chhipitola Agra (U.P.)	-do-
456.	-do-	-do-	Sh. Raj Kumar, 10/46, Guhrai Mandi, Tajaganj Agra (U.P.)	-do-
457.	-do-	-do-	Sh. Ram Babu Bansal, 5/15, Kaserat Bazar Tajaganj Agra (U.P.)	-do-
458.	-do-	-do-	Sh. Shiodan Singh, 18/226, Purani Mandi, Tajganj Agra (U.P.)	-do-
459.	-do-	-do-	Sh. Praveen Kumar Urf Munna Lal 6/189 Gali Sevaram Agra (U.P.)	-do-
460.	-do-	358—Agra East	Bh. Mohan Singh Kushwaha, 10/40, Katra Bazir Khan, Agra (U.P.)	-do-
461.	-do-	-do-	Sh. Bachhu Singh, Nai Abadi, Nangla part, Durga Nagar, Agra (U.P.)	-do-
462.	-do-	-do-	Sh. Sanjay Kumar Dixit, 11 A/1 B/5E, Ram Nagar, Adras School Ke Pass Agra (U.P.)	-do-
463.	-do-	-do-	Sh. Kamal Chakerwari, B-637 Kamla Nagar, Agra (U.P.)	-do-

1	2	3	4	5
464.	General Election to the Uttar Pradesh Legislative Assembly, 1991	358-Agra East	Sh. Ashok Gupta, 4 Utri Vijay Nagar Agra (U.P.)	Failure to lodge any account of election expenses
465.	-do-	-do-	Sh. Jawahar Lal, 8/392, Maron Bazar, Agra (U.P.)	-do-
466.	-do-	-do-	Sh. Mukesh Aggarwal, 27/75 E, Gali Amria Pathvira, Agra (U.P.)	-do-
467.	-do-	-do-	Sh. Mohan Lal Soan, 5/144, Pancha Madrasa, Agra (U.P.)	-do-
468.	-do-	-do-	Sh. Sanjay Tiwari, C-21, New Agra, Agra (U.P.)	-do-
469.	-do-	-do-	Sh. Mahesh Kumar, 22/210, Nagla Sola Bhola, Agra (U.P.)	-do-
470.	-do-	-do-	Sh. Ajay Kumar, 8/173, Yamuna Bhron, Agra (U.P.)	-do-
471.	-do-	-do-	Sh. Shanti Swroup Kushwah, 35/108, Lashkarpur, Fazitpura, Agra (U.P.)	-do-
472.	-do-	-do-	Sh. Pradeep, 19A/6E-34, Surana Bhawan, West Lohia Nagar, Agra (U.P.)	-do-
473.	-do-	-do-	Sh. Safi Moh. A-91, Kamla Nagar, Agra (U.P.)	-do-
474.	-do-	-do-	Sh. Rakesh Kumar, 6/79 Kachora Bazar, Agra (U.P.)	-do-
475.	-do-	359-Agra West (SC)	Sh. Arjun Bingham, 12/132, Khatik Para, Agra (U.P.)	-do-
476.	-do-	-do-	Sh. Rajendra Kumar Mahau 46/92 Bhimnagar, Jagdishpur Agra (U.P.)	-do-
477.	-do-	-do-	Sh. Prayag Narain Choudhary, 9/514, Mahadev Gali, Moti, Katra, Agra (U.P.)	-do-
478.	-do-	359-Agra East (SC)	Smt. Vinod Kumari Urf Anita. 18/197, New Rajendra Nagar, Lohamandi' Agra (U.P.)	-do-
479.	-do-	360-Kheragarh	Sh. Niroti Lal, Vill. Dunepervala Khushiapur, Agra (U.P.)	-do-
480.	-do-	361-Fatehpur Sikri	Sh. Omprakash, House No. 8/98, Bhogipur. Shahganj, Agra (U.P.)	-do-

1	2	3	4	5
481.	General Election to the Uttar Pradesh Legislative Assembly 1991.	361-Fatehpur Sikri	Sh. Yogendra, House, No. 371/187-B, Bund Katra, Agra (U.P.)	Failure to lodge any account of election expenses.
482.	-do-	-do-	Sh. Ranvir, House, No. 240 Kachora, P.O. Khas, Agra (U.P.)	-do-
483.	-do-	-do-	Sh. Ram Narain, Vill. Janutha, P.O. Kathwari, Agra (U.P.)	-do-
484.	-do-	-do-	Sh. Sahib Singh, Vill. Jahanpur, Fatepur, Sikri, Agra (U.P.)	-do-
485.	-do-	362-Goverdhan (SC)	Sh. Sunder Lal, Jhudavai, Mathura (U.P.)	-do-
486.	-do-	-do-	Sh. Ram Singh, Farah, Mathura, (U.P.)	-do-
487.	-do-	-do-	Sh. Prem Singh, Nagla Pohapi (Ladupur) Brari, Mathura (U.P.)	-do-
488.	-do-	-do-	Sh. Bhagwan Singh, Hansganj Lohavan Mathura (U.P.)	-do-
489.	-do-	363-Mathura	Sh. Jaikaran Mahaver, Vill. & P.O. Kathvari, Agra (U.P.)	-do-
490.	-do-	-do-	Sh. Bhimsain, Chatikra, Mathura, (U.P.)	-do-
491.	-do-	364-Chhata	Sh. Mohd. Hanif, Mohala Karimmullavas, Nagarpalika, Kosikalan Distt. Mathura (U.P.)	-do-
492.	-do-	-do-	Sh. Samuddin, Vill & P.O. Dantana, Distt. Mathura (U.P.)	-do-
493.	-do-	-do-	Dr. Jas Ram Singh, Vill. Nagla Moaji, P.O. Sai Teh. Chhata (U.P.)	-do-
494.	-do-	-do-	Sh. Atar Singh, Vill. & P.O. Chandori, Teh. Chhata (U.P.)	-do-
495.	-do-	-do-	Sh. Jawhar, Vill. & P.O. Chhinparai, Teh. Mat., (U.P.)	-do-
496.	-do-	-do-	Ch. Tezvir Singh, Vill. Makandpur, P.O. Uspar, Teh. Chhata (U.P.)	-do-
497.	-do-	365-Mat	Sh. Virendra Singh, Vill. Phatagari, Khandgari, Chinta, Teh. Mat., Mathura (U.P.)	-do-
498.	-do-	-do-	Sh. Hare Krishan, Vill. Shall Valipur P.O. Shall Mathura (U.P.)	-do-
499.	-do-	-do-	Sh. Bachhu Singh, Vill. & P.O. Jabra, Mathura (U.P.)	-do-

1	2	3	4	5
500.	General Election to the Uttar Pradesh Legislative Assembly, 1991	365-Mat	Sh. Kitab Singh, Vill. & P.O. Nasik, Distt. Mathura (U.P.)	Failure to lodge any account of election expenses.
501.	-do-	-do-	Sh. Shiv Raj, Vill. Surir Vijau P.O. Surir Mathura (U.P.)	-do-
502.	-do-	-do-	Sh. Tejpal Vill. & P.O. Ayarakhera, Mathura (U.P.)	-do-
503.	-do-	366-Gokul	Sh. Shyam Lal, Vill. Nanau P.O. Mai, Mathura (U.P.)	-do-
504.	-do-	-do-	Sh. Dharamvir, Vill. Phokhrhridya Raya, Mathura (U.P.)	-do-
505.	-do-	-do-	Sh. Bholeswar upmanu, Bholeswar Colony, Raya, Mathura (U.P.)	-do-
506.	-do-	-do-	Sh. Saun Pal Vill. Saras, P.O. Raya Mathura (U.P.)	-do-
507.	-do-	-do-	Sh. Shayam Swaroup Vill. Gari Ram Prasad, P.O. Karab, Mathura (U.P.)	-do-
508.	-do-	367-Sadabad	Sh. Rakesh Kumar Sharma, Vill. Nagla Brahman P.O. Stampur, Mathura (U.P.)	-do-
509.	-do-	-do-	Sh. Matru Makanpur, Distt. Mathura (U.P.)	-do-
510.	-do-	-do-	Sh. Ganeshi Lal, Mohalla Vriwala Gautamanagar Sadabad Mathura (U.P.)	-do-
511.	-do-	-do-	Sh. Jagdish Prasad, Mohalla Pokharwala, Kasba Sadabad, Mathura (U.P.)	-do-
512.	-do-	368-Hathras	Sh. Kalicharan, Vill. Ramanpur, Hathras, Aligarh, (U.P.)	-do-
513.	-do-	-do-	Smt. Sorupi, Nagla Bhara, P.O. Jogia, Hathras, Aligarh. (U.P.)	-do-
514.	-do-	-do-	Sh. Brij Bihari, Vill. Mahu, Hathras, Aligarh (U.P.)	-do-
515.	-do-	371-Gangiri	Sh. Nathu Singh, Vill. Nagla Guliryan P.O. Khayala, Aligarh (U.P.)	-do-
516.	-do-	-do-	Smt. Urmila Devi, Vill. Bhmoari Khurd, P.O. Alampur, Fatehpur, Aligarh (U.P.)	-do-
517.	-do-	-do-	Sh. Veer Pal, Vill. & P.O. Choadya, Dibai, Bulandshahr, (U.P.)	-do-

1	2	3	4	5
518.	General Election to the Uttar Pradesh Legislative Assembly, 1991	372-Atrauli	Sh. Kaliyan Singh, Vill. Nathper, P.O. Nahal, Aligarh (U.P.)	Failure to lodge any account of election expenses.
519.	-do-	-do-	Sh. Vijay Singh, Vill. Badoal, P.O. Dudhma, Aligarh (U.P.)	-do-
520.	-do-	-do-	Sh. Siyaram, Vill. Bahrabad P.O. Ganiyavali, Aligarh (U.P.)	-do-
521.	-do-	-do-	Sh. Lala Ram, Vill. Shilat Ramnagar, P.O. Khas Aligarh (U.P.)	-do-
522.	-do-	373-Aligarh	Sh. Hera Lal Urf Popo, Srai Harnarain Aligarh (U.P.)	-do-
523.	-do-	374-Koili (SC)	Sh. Ram Charan, Jaroath, Eglas, Aligarh (U.P.)	-do-
524.	-do-	377-Khair	Sh. Om Prakash, Niwasi Chinadoli P.O. Bajana, Teh. Mat., Distt. Mathura (U.P.)	-do-
525.	-do-	-do-	Sh. Rakesh Gaur, Nai Basti Khair, Aligarh (U.P.)	-do-
526.	-do-	379-Khurja	Sh. Prins Kumar, Ramsingh Bara, Madar Darwaja, Khurja, Distt. Bulandshahr (U.P.)	-do-
527.	-do-	-do-	Sh. Yogesh, Mohalla Chhata, Davidass, H.No. 43, Khurja, Bulandshahr	-do-
528.	-do-	-do-	Sh. Ramautar, Vill. Khutaina, P.O. Gavarauli Distt. Bulandshahr, (U.P.)	-do-
529.	-do-	-do-	Sh. Santosh, Vill. Rnaich P.O. Kraura, Distt. Bulandshahr (U.P.)	-do-
530.	-do-	-do-	Sh. Hakeem, House, No. 273, Khageshgyan, Khurja, Distt. Bulandshahr, (U.P.)	-do-
531.	-do-	380-Debai	Sh. Kamruddin Khan, Vill. P O. Pala Kaser, Distt. Bulandshahr (U.P.)	-do-
532.	-do-	-do-	Sh. Gulab, Vill. & P.O. Doulatpur Khurd, Distt. Bulandshahr.	-do-
533.	-do-	-do-	Sh. Tejpal, Vill. Singdalanpur Urf Ratanpur, P.O. Kesar Kalan Distt. Bulandshahr (U.P.)	-do-
534.	-do-	-do-	Sh. Jagat Singh, Mohalla Rogangiran, Jhangirbad. Distt. Bulandshahr (U.P.)	-do-

1	2	3	4	5
535.	General Election to the Uttar Pradesh Legislative Assembly, 1991	380—Debai	Sh. Dinesh, Vill. Umrari, P.O. Dharmpur, Distt. Bulandshahr (U.P.)	Failure to lodge any account of election expenses.
536.	-do-	-do-	Sh. Parveen, Mohalla Kajikhel Dibai, Distt. Bulandshahr (U.P.)	-do-
537.	-do-	-do-	Sh. Prempal, Vill. Nangla Chhatat, P.O. Umrara, Distt. Bulandshahr (U.P.)	-do-
538.	-do-	-do-	Sh. Megh Singh, Vill. Jecraipur, P.O. Ahamdgarh, Distt. Bulandshahr (U.P.)	-do-
539.	-do-	-do-	Sh. Rajendra Vill & P. O. Bagasra, Distt. Bulandshahr (U.P.)	-do-
540.	-do-	-do-	Sh. Mohd. Hasan, 77, Mohalla Srai Nasrullakhan, Khurja, Distt. Bulandshahr (U.P.)	-do-
541.	-do-	-do-	Sh. Hari Singh, Vill. & P. O. Santoha, Distt. Bulandshahr (U.P.)	-do-
542.	-do-	384—Bulandshahr	Sh. Mansingh, Vill. Patvari, P.O. Bitrakh Distt. Ghaziabad (U.P.)	-do-
543.	-do-	-do-	Sh. Vijay Kumar, Vill & P. O. Braula, Distt. Ghaziabad (U.P.)	-do-
544.	-do-	-do-	Sh. Gian Chand, Vill. Sahapur Bamheta, Distt. Ghaziabad (U.P.)	-do-
545.	-do-	386—Sikandrabad	Sh. Kadir, Kasba-Bilaspur, Distt. Bulandshahr (U.P.)	-do-
546.	-do-	-do-	Sh. Chaman, Vill. Sukhlalpur, P.O. Sikandrabad, Distt. Bulandshahr (U.P.)	-do-
547.	-do-	-do-	Sh. Ved Prakash, House No. 80 Vill. Hasanpur Jageer, P.O. Sikandrabad, Distt. Bulandshahr (U.P.)	-do-
548.	-do-	-do-	Sh. Sahabuddin Malik, Mohalla Sarai Jhanjhane, Sikandrabad, Distt. Bulandshahr (U.P.)	-do-
549.	-do-	-do-	Dr. Subash Chand Tyagi, House No. 88 Khatribara, Sikandrabad, Distt. Bulandshahr (U.P.)	-do-

1	2	3	4	5
550.	General Election to the Uttar Pradesh Legislative Assembly, 1991	385-Shikarpur	Sh. Veer Pal, Vill. P.O. Balaka Distt. Bulandshahr (U.P.)	Failure to lodge any account of election expenses.
551.	-do-	-do-	Sh. Hari Charan, Vill. & P. O. Balaka, Distt. Bulandshahr (U.P.)	-do-
552.	do-	-do-	Sh. Lal Singh, Vill. & P. O. Jaikhera, Distt. Bulandshahr (U.P.)	-do-
553.	do-	-do-	Sh. Ram Dass, Vill. & P. O. Martjapur Bhatwara, Distt. Bulandshahr (U.P.)	-do-
554.	do-	-do-	Sh. Dev Dutt, House No. 9110 C Block, Indira Nagar, Lucknow (U.P.)	-do-
555.	do-	387-Ladri	Sh. Nepal, Vill. Nayabans, Dadri (U.P.)	-do-
556.	do-	-do-	Sh. Shoraj, Vill. Mahiuddinpur, Knavani (U.P.)	-do-
557.	do-	388-Ghaziabad	Sh. Ganga Sharan, 232, Dhukna Ghaziabad (U.P.)	-do-
558.	do-	-do-	Sh. Jitendra, 324 Kalash Nagar, Ghaziabad (U.P.)	-do-
559.	do-	-do-	Sh. Nangu Vill. Bhajhara Khurd, Hapur Distt. Ghaziabad(U.P.)	-do-
560.	do-	-do-	Sh. Rakesh Tyagi, 111-L/14 Nehru Nagar, Ghaziabad (U.P.)	-do-
561.	do-	-do-	Dr. Rampal Singh Chauhan Vill. Karhara, Mohan Nagar, Ghaziabad (U.P.)	-do-
562.	do-	-do-	Sh. Richpal E-32, Sector-23, Raj Nagar, Ghaziabad (U.P.)	-do-
563.	do-	-do-	Sh. Roop Kishore, 115-Balmiki Nagar, Islam Nagar, Ghaziabad, (U.P.)	-do-
564.	do-	-do-	Sh. Sanjay Kumar, C-254, Lohia Nagar, Ghaziabad (U.P.)	-do-
565.	do-	-do-	Sh. Shish Pal Singh, Vill. Maherauli, Shahpur Bmhata, Ghaziabad (U.P.)	-do-
566.	do-	-do-	Sk. Jagannath, Vill. Sharopabad Rajpur, P.O. Farrukhnagar, Ghaziabad (U.P.)	-do-
567.	do-	389-Muradnagar	Sh. Anver Ahmed Choudhari 161 Kothi Mussoori, Ghaziabad (U.P.)	-do-

1	2	3	4	5
568.	General Election to the Uttar Pradesh Legislative Assembly, 1991	389-Muradnagar	Sh. Abdul Rehman 6304/889 Kaila Bhatatta, Ghaziabad (U.P.)	Failure to lodge any ac- count of election ex- penses.
569.	-do-	-do-	Sh. Saleem, Mohalla Cot, Muradnagar, Ghaziabad (U.P.)	-do-
570.	-do-	-do-	Sh. Niyaj Mohd. Gospur, Distt. Meerut (U.P.)	-do-
571.	-do-	-do-	Sh. Sahidulla, Mohalla Byapairyan, Muradnagar, Ghaziabad (U.P.)	-do-
572.	-do-	-do-	Sh. Himanshu Goyal, 88 Sector-23, Rajnagar, Ghaziabad (U.P.)	-do-
573.	-do-	390-Modinagar	Sh. Anurag Vill. Sapnavat, Modinagar (U.P.)	-do-
574.	-do-	-do-	Sh. Amarpal Parcha Vill. Tyoadi, 13-Biswa (U.P.)	-do-
575.	-do-	-do-	Sh. Aram, Harola Makanpur, Noida Sector -5. (U.P.)	-do-
576.	-do-	-do-	Sh. Ashanand, 49, Sukkimal Dasana Gate, Ghaziabad (U.P.)	-do-
577.	-do-	-do-	Sh. Kailash Kumar Shukla, 122/9, Govindpuri, Modinagar (U.P.)	-do-
578.	-do-	-do-	Sh. Nityaprakash, 11, Santpura, Govindpuri, Modinagar (U.P.)	-do-
579.	-do-	-do-	Sh. Prempal, Vill. Samana, Modinagar (U.P.)	-do-
580.	-do-	-do-	Sh. Radhey Shyam, Arya, D-52, Govindpuri, Modinagar (U.P.)	-do-
581.	-do-	-do-	Sh. Sanjay, Gurudwara Road, Modinagar (U.P.)	-do-
582.	-do-	-do-	Sh. Sukhvir Aurangabad, Fajalgarh (U.P.)	-do-
583.	-do-	-do-	Sh. Subhash, Shivaji Nagar, Pilkhua (U.P.)	-do-
584.	-do-	-do-	Sh. Kukku, Vill. Lakhna, Modinagar (U.P.)	-do-
585.	-do-	391-Hapur (SC)	Sh. Jitendra, 324, Kailash Nagar, Ghaziabad (U.P.)	-do-

1	2	3	4	5
586.	General Election to the 391—Hapur (S.C.) Uttar Pradesh Legislative, Assembly, 1991		Sh. Nand al. Vill. & P. O. Ausora, Distt. Ghaziabad (U.P.)	Failure to lodge any ac- count of election ex- penses.
587.	-do-	-do-	Sh. Rajendra Choudhary, 160 Bhanra-Patti Hapur, Ghaziabad (U.P.)	-do-
588.	-do-	-do-	Sh. Ram Pal, Vill. & P. O. Dahana, Distt. Ghaziabad (U.P.)	-do-
589.	-do-	-do-	Sh. Dharm Singh, Vill. & P. O. Nangla Heraru, Distt. Meerut	-do-
590.	-do-	392—Garhmukteswar	Sh. Haneef, Vill. Khilavani, Teh Garh, Distt. Ghaziabad (U.P.)	-do-
591.	-do-	-do-	Sh. Allauddin, Kotla Megetyan, Hapur, Ghaziabad (U.P.)	-do-
592.	-do-	-do-	Sh. Ombir Shamuddinpur, Distt. Ghaziabad (U.P.)	-do-
593.	-do-	-do-	Sh. Nyag Mohd. Vill. Goashpur, Teh. Bagpat, Distt. Meerut (U.P.)	-do-
594.	-do-	-do-	Sh. Harkesh Singh Chopla, Garhmukteswar, Ghaziabad (U.P.)	-do-
595.	-do-	399—Siwalkhas (SC)	Sh. Jal Singh, Vill. & P. O. Chandori, Meerut (U.P.)	-do-
596.	-do-	-do-	Sh. Satyapal Singh Urf I.P. Vipin Panchgaon, Faizabad, Meerut (U.P.)	-do-
597.	-do-	-do-	Smt. Madhuballa, Vill. Dhnora Silver Nagar, Meerut (U.P.)	-do-
598.	-do-	400—Khekra	Sh. Ashok S/c Kamal Singh, Vill. Mansurpur, P.O. Ratheul Meerut (U.P.)	-do-
599.	-do-	-do-	Sh. Virendra Singh, Vill. Pipli Kala Raipur, 25 Amroha Muradabad(U.P.)	-do-
600.	-do-	-do-	Sk. Shabuddin, Daber Talab Loni, Ghaziabad (U.P.)	-do-
601.	-do-	-do-	Sh. Vinay, Vill. Mohitpur Hisali, P.O. Muradnagar, Ghaziabad (U.P.)	-do-

1	2	3	4	5
602. General Election to the Uttar Pradesh Legislative Assembly 1991	401-Baghat	Sh. Ganga Ram, Baghat (U.P.)	Failure to lodge any ac- count of election ex- penses.	
603. -do-	420-Roorkee	Sh. Dinesh Chandra, 678, Paschim Amber Talab, Roorkee (U.P.)	-do-	
604. -do-	-do-	Sh. Ashraf, Mubarakpur Alipur, P.O. Mohamedpur, Barjrang, Distt. Hardwar (U.P.)	-do-	
605. -do-	-do-	Sh. Brahmanand, Rawali Mehdud, P. O. Bhadrabad, Distt. Hardwar (U.P.)	-do-	
606. -do-	392-Garhmukteshwar	Sh. Hari Singh Vill. Alam Nagar, Teh Garh . Distt. Ghaziabad (U.P.)	-do-	
607. -do-	423-Mussoorie	Sh. Arun, Vill. Sevilikalan, Mazra Dehradun (U.P.)	-do-	
608. -do-	-do-	Sh. Dharendra Pratap, Moh. Chhota Bazar Bara Bazar Meerut (U.P.)	-do-	
609. -do-	-do-	Sh. Dharendra Singh Pundare Nalapani, Tapovan, Dehradun (U.P.)	-do-	
610. -do-	-do-	Shi Rajesh Sharma, 118-Rais Course, Dehradun, (U.P.)	-do-	
611. -do-	-do-	Sh. Ravindra Kumar, 152-Indranagar Colony, Dehradun (U.P.)	-do-	
612. -do-	-do-	Sh. Suneel Aggarwal, 16-A New Kanvent Road, Dehradun (U.P.)	-do-	
613. -do-	-do-	Sh. Kashim Khan, 56-Hardwar Road, Dehradun (U.P.)	-do-	
614. -do-	-do-	Kumari Renu Aggarwal, B-22/6 Q.N.G.C. Colony, Dehradun (U.P.)	-do-	
615. -do-	424-Dehra Dun	Sh. Garesh Kumar Sahani, 333/8, Khurburra Mohalla, Dehradun (U.P.)	-do-	
616. -do-	-do-	Sh. Jyoti Bhauguna, 24-Syed Mohalla, Dehradun (U.P.)	-do-	
617. -do-	100-Mahona	Sh. Desh Raj, Vill. Bharwara, P.O. Chinhar, Lucknow (U.P.)	-do-	

1	2	3	4	5
618.	General Election to the Uttar Pradesh Legislative Assembly, 1991	100---Mohana	Sh. Mani Ram, Vill. Matiyari, P.O. Chihar, Lucknow (U.P.)	Failure to lodge any account of election expenses.
619.	-do-	-do-	Sh. Suresh, Vill. Lachman Purva Mazra Sarai Sekh Chihar Lucknow. (U.P.)	-do-
620.	-do-	3-Deb Prayag	Sh. Sh. Surat Singh, Vill. Jamoli, Patti Degi, Tehri Garhwal (U.P.)	-do-
621.	-do-	4-Landsdowne	Sh. Shamsher Singh Vill. Simalker, Maral Vikas Khand Pamkesver, Pauri Garhwal. (U.P.)	-do-
622.	-do-	6-Karan Prayag	Sh. Pancham Singh Vill. Putali, P.O. Hira Lal, Distt. Garhwal (U.P.)	-do-
623.	-do-	15-Haldwani	Sh. Dharanvir, R/O. Amaniganj, Aminabad Lucknow Distt. Lucknow (U.P.)	-do-
624.	-do-	92-Bangarmau	Sh. Kamruddin Khan, Vill. & P. O. Surseni Distt. Unao (U.P.)	-do-
625.	-do-	-do-	Sh. Gaya Prasad, Vill. Byoli, Islamabad , Unao (U.P.)	-do-
626.	-do-	-do-	Sh. Ramchandra, Moh. Dhare Tola, Bangarmau, Unao (U.P.)	-do-
627.	-do-	97-Purva	Sh. Babu Lal, Vill. & P. O. Bhadsang Distt. Unao, (U.P.)	-do-
628.	-do-	-do-	Smt. Premavati, Gosai Khera, P.O. Asoha, Distt. Unao, (U.P.)	-do-
629.	-do-	100-Mahana	Sh. Om Prakash, Mal, Lucknow (U.P.)	-do-
630.	-do-	100- Mahona Lucknow East.	Sh. Babu Ram, Vill. Deoria Kala P.O. Indora Bagh Lucknow (UP.)	-do-
631.	-do-	101 -Lucknow East.	Sh. Miraj Rasul, 336 Talab Gagni Shukal. Lucknow (U.P.)	-do-

1	2	3	4	5
632.	General Election to the Uttar Pradesh Legislative Assembly, 1991	101-Lucknow East	Sh. Adan Urf Sadan, Batase wali gali, Aminaganj, Lucknow (U.P.)	Failure to lodge any account of election exepeses.
633.	-do-	-do-	Sh. Nripendra Pandey, 7, Dalibagh Hazratganj, Lucknow (U.P.)	-do-
634.	-do-	102-Lucknow West.	Sh. Wahid Hussain, 475/15 A, Kadam Rasul, Daliganj, Lucknow (U.P.)	-do-
635.	-do-	103-Lucknow Central	Sh. Jagdish Prasad, 103 Queen, Talab, Lucknow (U.P.)	-do-
636.	-do-	-do-	Mohd. Parvej, 180/41, Takiya Azambeg, Lucknow (U.P.)	-do-
637.	-do-	104-Lucknow Cantt.	Smt. Gayatri Devi, 557/43, Om Nagar, Aa. Wa. Lucknow (U.P.)	-do-
638.	-do-	-do-	Sh. Sainson Masiha, H.No. 554/160, Chhota Warha, Alambagh, Lucknow (U.P.)	-do-
639.	-do-	-do-	Mohd. Amin, 119-S, Shekhpur Jaffer, Faizabad (U.P.)	-do-
640.	-do-	105-Sarojini Nagar,	Sh. R.C. Kushwaha, Martin Purva Hazaratganj, Lucknow (U.P.)	-do-
641.	-do-	-do-	Sh. Akhilesh Kumar, Vill. Talibagh, P. O. Sarika, Lucknow. (U.P.)	-do-
642.	-do-	-do-	Sh. Bhgane, Vill. Utri Mazra, Salehnagar, P.O. Bhadrakh, Lucknow (U.P.)	-do-
643.	-do-	105-Sarojini	Sh. Durgesh Kumar, Vill. Parwar Paschim, P.O. Mohanlalganj, Lucknow (U.P.)	-do-
644.	-do-	106-Mohanlalganj (SC)	Sh. Jagdish Kumar, Vill. Budhukhera Mazra Brauna, P.O. Lucknow (U.P.)	-do-
645.	-do-	123-Jagdishpur (SC)	Sh. Tilak Ram, Vill. Fazilpur, P.O. Bhagrauli, Teh. Mukana, Dist. Sultanpur (U.P.)	-do-
646.	-do-	-do-	Sh. Sahabdeen, Vill. & P. O. Somvui, Teh Gauriganj, Sultanpur (U.P.)	-do-

1	2	3	4	5
647.	General Election to the Uttar Pradesh Legislative Assembly, 1991	168-Basti	Sh. Rajendra Kumar, Vill. Mahadeva, P.O. Pgar, Distt. Basti, (U.P.)	Failure to lodge any account of election expenses
648.	-do-	171-Itwa	Sh. Santram, Vill. Velwa, P.O. Tedvagrant, Distt. Sidharthnagar, (U.P.)	-do-
649.	-do-	-do-	Sh. Rizvanullah, Vill. Chunigrant, P.O. Khandsari, Distt. Sidharthnagar, (U.P.)	-do-
650.	-do-	-do-	Sh. Vijay Krishan, Vill. Bhatnaganvan, P.O. Gaura Bazar, Distt. Sidharthnagar (U.P.)	-do-
651.	-do-	175-Khesraha	Sh. Nand Kishor, Vill. Bhindra, P.O. Bhindra, Distt. Basti (U.P.)	-do-
652.	-do-	174-Bansi	Sh. Pramod Kumar, Vill. Gaura, P.O. Gauri, Distt. Sidharthnagar, (U.P.)	-do-
653.	-do-	175-Mehdawal	Sh. Sayed Ali, Vill & P. O. Dudhaura, Basti (U.P.)	-do-
654.	-do-	184-Pipraich	Smt. Indrawati Devi, Vill Badauli Babu, P.O. Bhatauli, Gorakhpur, (U.P.)	-do-
655.	-do-	338-Karhal	Smt. Shanti Devi, Vill Khorai, P.O. Bhadan, Firozabad (U.P.)	-do-
656.	-do-	354-Tundla (SC)	Sh. Bhart Singh. Doki. Fatehabad. Agra (U.P.)	-do-
657.	-do-	-do-	Sh. Sonvir, Badhai, Firozabad, (U.P.)	-do-
658.	-do-	356-Dayalbagh	Sh. Rajendra. Garik Jondpur, P.O. Salemabad, Agra (U.P.)	-do-
659.	-do-	389-Murad Nagar	Sh. Omkar, S/o Sh. Atar Singh, Moh. Jataw, H. No 1089 Muradnagar, Distt. Ghaziabad (U.P.)	-do-

1	2	3	4	5
660.	Bye-election to the Uttar Pradesh Legislative Assembly, 1991	63-Tilhar	Sh. Dinesh Babu, R/o Basai, P.O. Chaura Bagarkhet, Shajahanpur, (U.P.)	Failure to lodge any account of election expenses.
661.	-do-	-do-	Sh. Rajesh, P.O. Sherobala, Shajahanpur, (U.P.)	-do-
662.	-do-	-do-	Sh. Ram, R/o Kativitola, Shajanpur, (U.P.)	-do-
663.	-do-	-do-	Sh. Hardayal Singh Moh. Jalalnagar, Shajahanpur (U.P.)	-do-
664.	-do-	-do-	Sh. Ram Bhajan, Vill. Damaola, Shajanpur. (U.P.)	-do-
665.	-do-	-do-	Sh. Lal Prabhat, P.O. Data Ganj, Shajanpur (U.P.)	-do-
666.	-do-	-do-	Sh. Shyam Kumar, R/o Pakka Katra, Tilhar, Shajanpur, (U.P.)	-do-
667.	-do-	-do-	Sh. Rajesh Kumar, S/o Sh. Rooplal, P.O. Pakka Katra, Tilhar, Shajanpur, (U.P.)	-do-
668.	-do-	-do-	Sh. Akhlesh, S/o Sh. Harnam, P.O. Dataganj, Shajanpur, (U.P.)	-do-
669.	-do-	-do-	Sh. Vineet Kumar, P.O. Kuvarganj, Tilhar, Shajanpur (U.P.)	-do-
670.	Bye-election to the U.P. Legislative Ass- embly 1992	-do-	Sh. Dinesh Babu, R/o Basai, P.O. Chaurabgarkhet Shajanpur (U.P.)	-do-
671.	-do-	-do-	Sh. Rakesh Kumar, P.O. Bhaksi, Tilbar (U.P.)	-do-
672.	-do-	-do-	Sh. Ram Babu, Vill. Vinase, Tilhar, (U.P.)	-do-
673.	-do-	-do-	Sh. Madaru Khan, Vill. & P. O. Khudaganj, (U.P.)	-do-
674.	-do-	-do-	Sh. K.P. Shukla, H. No 2404, P.O. Misrana, Shajanpur (U.P.)	-do-

1	2	3	4	5
675. General Election to the U.P. Legislative Assembly 1991	229-Babina (SC)		Sh. Soni, Vill. Chamaryana, Baruasagar, T.P. Jhansi (U.P.)	Failure to lodge any account of election expenses.
676.	-do-	-do-	Sh. Ram Sewak, Kurayana, Barua Sagar, Distt. Jhansi (U.P.)	-do-

[No. 76/UP-LA/91]

By Order,

GHANSHYAM KHOHAR, Secy.

नई दिल्ली, 15 जनवरी, 1993

आ. अ. 43:—लोक प्रतिनिधित्व अधिनियम, 1951 (1951 का 43) की धारा 106 के अनुसरण में, निर्वाचन आयोग 1991 का निर्वाचन अर्जी सं. 1 में शिमला स्थित हिमाचल प्रदेश के उच्च न्यायालय के तारीख 11 दिसम्बर, 1992 के निर्णय की एतद्द्वारा प्रकाशित करता है।

[सं. 82/हि.प्र.-लो.स./1/91]

आदेश में,

घनश्याम खोहर, सचिव

New Delhi, the 15th January, 1993

O.N. 43.—In pursuance of Section 106 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby publishes the judgement dated the 11th December, 1992 of the High Court of Himachal Pradesh, Shimla in Election Petition No. 1 of 1991.

[No. 82/HP-HP/1/91]

By order,

GHANSHYAM KHOHAR, Secy.

Copy of Order/Judgment/Statement/passed/delivered/recorded on 11-12-1992 by the Hon'ble Mr. Justice Devinder Gupta, J. in Election Petition No. 1/91 titled :—

Shri Narain Chand Prashar, son of Shri Nandu Ram, Village and Post Office, Sera, Tehsil Nandaun, District Hamirpur, H.P. —Petitioner

Versus

1. Shri Prem Kumar Dhumal S/o Shri Mahant Ram, Village and P.O. Shamirpur, Tehsil Bhoranj, Distt. Hamirpur, H.P. —Returned Candidate.
2. Shri Gian Chand Paniala S/o Shri Narpal Ram, Village Paniala, P.O. Kyah, Tehsil and District Hamirpur, H.P.
3. Shri Madho Ram S/o Shri Sodagar Ram, Village Chamiola, P.O. Chauri, Sub-Tehsil Sujampur, Distt. Hamirpur, HP.
4. Shri Gopi Chand Attri S/o Hari Singh, Village Bhaton, P.O. Uhal, Tehsil and District Hamirpur, H.P.
5. Honey. Sub. Maj. Kishore Chand Rana S/o Shri Narain Singh, Village and P.O. Karnita, Teh. Bhoranj, Distt. Hamirpur, H.P.
6. Shri Anand Ram Sewal, S/o Shri Daulat Ram Sewal, C/o M. L. Prashar, Opp. Vety. Hospital, Amb, Distt. Una, H.P.
7. Shri Rattan Singh Dhadwal, S/o Shri Sawan Singh, Village Har, P.O. Praggur, Teh. Dehra, Distt. Gangra, H.P.

8. Shri Hukam Singh Agiakari S/o Shri Teja Singh, V. and P.O. Kuthera Jaswala, Distt. Una, H.P.

9. Shri Krishan Dev Patiyal, S/o Shri Tulsu Ram, Village Ghanal Kalan, P.O., Teh. and Distt. Hamirpur, H.P.

10. Shri Pradeep Lakhnupal S/o Shri Lehar Nath, V and P.O. Harotta, Teh. Nadaun, Distt. Hamirpur, HP.

11. Shri Kedar Nath Sharma S/o Shri Bansi Lal, Village Kaloh, P.O. Gagret, Teh. Amb, Distt. Una, H.P.

12. Shri Madhu Inder Shukla S/o Shri Murli Manohar Lal, Village Jaigran, P.O. Tabba, Distt. Una H.P.

13. Shri Shankar Singh Chandel, S/o Shri Arjun Singh, Village Barsand, P.O. Gehrwin, Teh. Ghumarwin, Distt. Bilaspur, H.P.

14. Shri Ranjit Singh S/o Shri Kanshi Ram, V. and P.O. Hatli, Teh. Gangana, Distt. Una, H.P.

15. Shri Sajinder Singh Sopohiya S/o Shri Roshan Lal, Village Bhalwal, P.O. Dadasiba, Teh. Dehra, Distt. Kangra.

16. Vaid Kashmir Singh Parmar S/o Shri Bal Singh, Village and P.O. Nanaon, Teh. Palampur, Distt. Kangra, H.P. —Respondents.

COPY OF ORDER/JUDGMENT/STATEMENT
IN THE HIGH COURT OF HIMACHAL PRADESH AT
SHIMLA-171001

IN THE HIGH COURT OF HIMACHAL PRADESH
SHIMLA

Election Petition No. 1 of 1991

Date of decision 11th December, 1992

Narain Chand Prashar —Petitioner

Versus

Prem Kumar Dhumal and others —Respondents.

The Hon'ble Mr. Justice Devinder Gupta, Judge.

The Hon'ble Mr. Justice

The Hon'ble Mr. Justice

Whether approved for reporting ?

Yes.

For the Petitioner—M/s. Inder Singh and Pt. Om Parkash
For the Respondent(s)—M/s. S. P. Jain and R. K. Sharma
for respondent No. 1

None—for the other respondents.

Devinder Gupta, Judge.

The election of respondent No. 1, the returned candidate in Hamirpur Parliamentary constituency is under challenge in this Election Petition. Nominations for filing papers to the Lok Sabha from 4-Hamirpur Parliamentary constituency commenced on 20th April 1991. Last date for the same was 26th April 1991 and the dates for scrutiny and withdrawal were 27th and 29th April, 1991, respectively. The polling was held on 20th May 1991. Counting of votes could not

commence on 26th May 1991, due to the assassination of Mr. Rajiv Gandhi and was deferred to 16th June 1991. The counting commenced on 16th June, 1991 at Hamirpur, Una, Bilaspur and Dehra simultaneously. The result was declared on 17th June, 1991. Respondent No. 1 secured 2,05,970 votes as against the petitioner, who secured 2,02,232 votes. Respondent No. 1 was declared duly elected having won the election with a margin of 3738 votes. Respondents No. 2 to 16 were the other candidates who contested the election.

The election is sought to be set aside on various grounds, namely :

- (a) improper acceptance of nomination of respondent No. 7,
- (b) corrupt practices having been committed by the returned candidate, his election agent and by other persons, with the consent of returned candidate and his election agent ;
- (c) the improper reception and rejection of votes; and
- (d) violation of rules made under the Representation of Peoples Act, 1951 (hereinafter called as 'the Act').

The corrupt practices alleged are :

- (a) bribery ;
- (b) undue influence ;
- (c) appeal on the ground of religion and caste ;
- (d) promotion of feelings of hatred between different classes of citizens on the ground of religion and caste ;
- (e) hiring and procuring of vehicles for conveyance of voters and obtaining, procuring and attempting to procure the assistance from persons in Government service.

Besides seeking to set aside the election of respondent No. 1, the petitioner has sought a further declaration that but for the votes obtained by the returned candidate by corrupt practices and the wrongful acceptance and rejection of votes, the petitioner would have secured the majority of votes and as such he be declared duly elected.

The petition is being contested by the returned candidate, who filed his reply and took a number of preliminary legal objections viz :

- (a) the Election Petition as well as the affidavit have not been verified in accordance with law ;
- (b) petition lacks material facts and particulars and discloses no cause of action ;
- (c) non-production of tape-recorded cassette and non-supply of its copy to the respondents ;
- (d) non-attestation of the copy of Election Petition supplied to the respondents in accordance with law; and
- (e) the petition having vague and imaginary allegations. On the basis of the preliminary objections, it is pleaded that the Election Petition is liable to be dismissed. Respondents 2 to 16 have not filed any reply. Respondents 2, 3 and 6 to 16 were proceeded against ex-parte and respondents 4 and 5 are represented by their respective counsel.

On 10th April, 1992, the following preliminary issues were framed :

1. Whether the petition as well as the affidavit in support thereof have not been verified in accordance with law. If so, its effect ?

OPR 1

2. Whether the averments made in para 12 of the petition are liable to be struck down for the reasons mentioned in preliminary objection No. 2 ?

OPR 1

3. Whether the petition does not disclose any cause of action and is liable to be dismissed for the non-compliance of the provisions of Sections 83 and 86 of the Representation of the Peoples Act, 1951 ?

OPR 1

4. What is the effect of the non-production of tape-recorded cassette recording the alleged speech of Sadhvi Ritambra and the non-supply of its copy to respondent No. 1 (wrongly mentioned as petitioner in the order dated 10th April 1992) at this stage of the proceedings ?

OPR 1

5. Whether the copy of the petition supplied to respondent No. 1 has not been atleast in accordance with law. If so, its effect ?

OPR 1

The parties were called upon to adduce evidence. Prem Kumar Dhumal, the returned candidate examined himself as RW 1. The petitioner in rebuttal to this evidence examined himself as PW-1 and produced Jai Singh, a Senior Clerk of this Court as PW-2. Two copies of the Election Petition, Ex. P-1, and Ex. R-1 have been proved on record. Learned counsel for the parties were heard on 5th June, 26th June, 16th July, 17th July, 23rd July, 24th July and 29th July, 1992. I have gone through the record.

The findings on different issues are as follows :

Issue No. 5

In para 6 of the reply, respondent No. 1 has pleaded that the copy supplied to him has not been attested to be a true copy of the petition. It is stated that it is a photo-copy of some other copy, which was attested to be a true copy of the petition and as such the petition is liable to be dismissed summarily because of the violation of Section 81(3) of the Act. The petitioner in rejoinder pleaded that the copy supplied to respondent No. 1 has been duly and properly attested and there is no violation of any of the provisions of law.

Ex. R-1 is the copy of the petition which, according to respondent No. 1, was served upon him alongwith the summonses attached to it. While under cross-examination he denied the suggestion that each page of the copy, Ex. R-1, bears an impression of rubber stamp captioned 'attested to be a true copy of the petition, and also denied that each page bears the signature of the petitioner above and below the word 'petitioner' and that the signatures above the word 'petitioner' are the photostat signatures and below are the signatures of the petitioner in ink. According to the witness, both the signatures are the photostat signatures.

The petitioner, while appearing as PW-1, clarified that the Election Petition was presented by him personally before the Registrar of the Court and the same was accompanied with 32 spare copies, which were duly attested by him by putting signatures on each page. One of such copies, meant to be served and was received back in the Registry, was proved by this witness as Ex. P-1. According to him, both Exs. P-1 and R-1 were the copies which he had supplied in the Registry for being served upon the respondents. During cross-examination, he further clarified that Exs. P-1 and R-1 are the photo copies. On each page there is photo impression of rubber stamp captioned 'attested to be a true copy of the petition' with word 'petitioner' below it. Signatures above the word 'petitioner' is the photo copy impression of his signatures but the signatures below the word 'petitioner' on each page of the copy Exs. P-1 and R-1 are his own signatures in ink. These signatures according to PW-1 had been appended by him with an intention to attest each copy of the petition with all its annexures to be a true copy of the Election Petition.

PW-2 Jai Singh, dealing with the original side cases, including the Election Petitions, stated that 32 copies of the petition were received alongwith 16 Registered AD covers, one of which had been received back with unserved summonses Ex. P-2, which copy was Ex. P-1.

Every Election Petition, by virtue of Section 81(3) of the Act is required to be accompanied by as many copies thereof as there are respondents mentioned in the petition and every such copy is further required to be attested by the petitioner under his own signatures, to be a true copy of the petition. An Election Petition, which does not comply with the provisions of Section 81 of the Act, is liable to be dismissed, as provided under sub-section (1) of section 86. The question requiring consideration is whether there is any non-compliance of sub-section (3) of Section 81 of the Act and whether copy Ex. R-1, which admittedly has been served upon respondent No. 1, has in fact been attested by the petitioner under his own signatures to be a true copy of the petition.

The petitioner asserted in his statement that signature on each page of the petition and annexures below the word 'petitioner' which is also below the endorsement 'attested to be a true copy of the petition' are his own signatures in ink. The signature above the word 'petitioner' is the photo impression of his signatures. On a closer look of Exs. P-1 and R-1, it is apparent to the naked eye that one of the signatures of the petitioner on each page of the petition and the annexures below the word 'petitioner' are in ink and above the word 'petitioner' are the photo impression of the signatures. What appears to have been done is that after having put rubber stamp on one of the copies of the Election Petition, petitioner appended his signatures above the word 'petitioner' and thereafter photostat copies were prepared therefrom. All such photo copies were again signed by the petitioner. There is no dispute that both Exs. P-1 and R-1 are word to word, line to line and page to page the same and similar to the original Election Petition, with the only difference that the Election Petition has been typed out on official judicial paper, which bears on the top the print 'Himachal Pradesh Judicial Paper' with serial number and year of print, which print alone has not appeared in the copies, obviously because according to the petitioner, the copies were not prepared from the Election Petition filed in the Court but from a carbon copy thereof which had been retained by him, as master copy.

In the light of the above the submission made on behalf of respondent No. 1 by Mr. Jain was that there has to be strict compliance of the provision of sub-section (3) of Section 81 of the Act. The copy has to be a true copy of the petition. Since it is not a true copy of the petition but is a copy prepared from a copy of the petition, there is non-compliance of the provisions and the petition is liable to be dismissed. Viewed in this background the submissions, the cases cited deserves to be noticed.

Considering the provisions of Part VI of the Act and the question as to what is a 'copy', the Supreme Court in *Murarka Radhey Shyam Ram Kumar v. Roop Singh Rathore and others* (AIR 1964 SC 1545), held that the word 'copy' does not mean an absolutely the exact copy but it means a copy so true that nobody can by any possibility misunderstand it. The test to be applied is whether any violation from the original is calculated to mislead any ordinary person.

The *Murarka's* case (supra) was decided by the constitution Bench on 7th May 1963. Following the ratio of that case in *Ch. Subbarao v. Member, Election Tribunal, Hyderabad and others* (AIR 1964 SC 1027), the court held that if there is a substantial compliance with the requirement of Section 81(3), the Election Petition cannot be dismissed. The signature of the petitioner, whose name was set out in the body of the petition, had appended his signatures at the end. The same was held to be definitely by way of authenticating the contents of the documents. The Court in para 26 of the report observed that :

We do not however consider that there is really need for so much refinement when one has to look at whether there is a substantial compliance with the requirement of this provision. If the signatures now found on the copies were intended to authenticate the document to which it is appended, viz., the copy, it would only mean that the copy did not reproduce the signature in the original. There is no compelling necessity to hold that the signatures were merely intended to be a copy of those on the original in order to spell out a non-compliance with S. 81(3).

seeing that a signature in original was not needed on the copy and a writing copying out the name of the signatory would suffice. The decision of this Court in *Murarka's* case, C.A. Nos. 30 and 31 of 1963 D/5-5-1963 (SC) is authority for the position that the absence of a writing in the copy indicating the signature in the original would not detract the copy from being a true copy. In the circumstances, we consider that there has been substantial compliance with the requirement of S. 81(3) in the petition that was filed by the appellant and the learned Judges were in error in directing the dismissal of the petition."

Another constitution Bench in *Dr. Anup Singh v. Abdul Ghani and others* (AIR 1965 SC 815), held substantial compliance with Section 81(3) to have been made when in the carbon copies of original Election Petition the words 'true copy' were not written above the signatures.

The signature of the petitioner, only at the foot of the copy of the affidavit, accompanying the copy of the Election Petition, and not on the copy of the petition, was in *M. Kamalam v. Dr. V. A. Syed Mohammed* (AIR 1978 SC 840), held to be sufficient compliance of the provisions of Section 81(3) of the Act. The Court held that in fact the copy of the affidavit constituted the end portion of the copy of the Election Petition and the signature placed at the foot of the copy of the affidavit was clearly referable to the entire copy preceding it and it authenticated the whole of the copy of the Election Petition to be a true copy.

Approving the ratio of decisions in *Subba Rao's* and *Kamlam's* cases (supra), the Supreme court in *F.A. Sapa etc. vs. Singora and others* (AIR 1991 SC 1557), held that the requirement of Section 81(3) is that the petitioner must take the responsibility of the copy being a true copy of the original petition and sign in token thereof. No particular form of attestation is prescribed. A petitioner will be deemed to have complied with the letter and spirit of Section 81(3) of the Act, when he certifies the copy as a true copy by putting his signature at the foot thereof. In that case, 15 different Election Petition questioning the election of a returned candidate were filed. The objection raised was that the Election Petition in each case was a mere photo copy prepared from a typed one and the copy of Election Petition served on the returned candidate in each case was not duly attested to be a true copy of the original as required by Section 81(3) of the Act, therefore, the petitions were liable to be dismissed in limine under Section 86(1) of the Act. Such an objection was negated by the High court. Each of the petition, which was a photo copy, prepared from a model election petition was treated to be the original election petition. The Supreme Court upheld the verdict of the High Court by holding in para 30 of its report as under :

"..... Section 81(1) does not debar photocopying but Rule 1 of the Rules says that it shall be 'type-written or printed'. There is no dispute that a model election petition was prepared and got typed and prints thereof were taken out by the process of photocopying. These prints were used both as original election petitions as well as copies. The particulars in regard to each petition, e.g., the names of the parties, the voting pattern, the towns and villages where utterances amounting to corrupt practice were made, etc., were filled in and the court-fee was affixed on one of them which constituted the original and photocopies thereof were filed before the Stamp Reporter in accordance with the Rules. The photocopy bearing the court-fee stamps was indisputably signed by the election petitioner and was presented with sufficient copies to the Stamp Reporter. The original election petition is, therefore, a photocopy of the typed model and the copies are also photocopies prepared from the original petition. Evidently the underlying idea in providing that the election petition shall be type-written or printed is to ensure that the document is legible. There is no complaint that the document which is admitted as an election petition and the copies thereof are not legible. If that be so it is difficult to appreciate the objections that the photocopy should not be treated as an

original petition even if it otherwise complies with the requirement of law....."

Applying the aforementioned decisions to the facts of the instant case, when to the naked eye, each page of Ex. R-1, the copy of petition, served on respondent No. 1, bears the signatures of the petitioner with an endorsement above that 'attested to be true copy of the petition' and there being no dispute that the copy of the petition with annexures word to word, line to line and page to page is similar to the original, without any change and being legible, there is no manner of doubt that there is meticulous compliance of Section 81(3) of the Act and the petition is not liable to be dismissed under Section 86(1) as contended by Mr. Jain. This issue is accordingly decided against respondent No. 1.

Issue No. 1

The objection of the returned candidate is that the Election Petition as well as the affidavit have not been verified in accordance with law. The averments made in the petition, as regards the contents of para 6, 9 to 17, 19(i), (ii), (a) to (c) and (e) to (i) and 20 to 23, 25 and 26 have been verified upon information received and believed to be true, but the petition has failed to disclose the source of information, which is mandatory in law. Similarly, in the affidavit the verification to various statements as regards allegations of corrupt practice is made on the basis of information received but source of the information is not disclosed. It is contended that the petition is liable to be dismissed in limine, since it is mandatory in law to disclose the source of information and the affidavit has to be in strict conformity with Form 25.

It is not disputed that except for paragraphs 1 to 5, 7, 8, 18, 19(ii), (d) and 24, which have been verified to be true to his knowledge, the rest of the contents of the petition as well as the entire statements made in paras (a) to (f) in the affidavit, as regards allegation of corrupt practices have been verified to be true on the basis of information received but source of information is not disclosed.

Clause (c) of sub-section (1) of Section 83 of the Act requires that an Election Petition shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1908 (hereinafter referred to as the Code) for the verification of the pleadings. Proviso to this clause (c) requires an Election Petition to be accompanied by an affidavit in the prescribed form in support of the allegations, where the petitioner alleges corrupt practice, in support of the allegations of such corrupt practice and the particulars thereof.

Rule 15 of Order VI of the Code is the provision relating to the verification of pleadings and reads as under :

"15. Verification of pleadings.—(1) Save as otherwise provided by any law for the time being in force, every pleadings shall be verified at the foot by the party or by one of the parties pleading or by some other person proved to the satisfaction of the Court to be acquainted with the facts of the case."

Rule 94-A of the Conduct of Election Rules, 1961 (hereinafter called as 'the rules') says that the affidavit referred to in the proviso to sub-section (1) of Section 83, shall be sworn before a Magistrate of the First Class, or a Notary or a Commissioner of Oaths and shall be in Form 25. From 25 appended to the rules is the format of the affidavit.

On the strength of the aforementioned provisions, it is contended on behalf of respondent No. 1 by Mr. Jain that in the absence of having disclosed the source of information, the verification is defective and such a defect is fatal, which must result in the dismissal of the petition. In view of this submission, the question posed is as to whether the defect in the verification of the petition or the affidavit is a substantial defect, so as to make it fatal resulting in the dismissal of the petition at the threshold.

Since, the trial of the Election Petition has to follow, as far as may be the provisions of the Code of Civil Procedure, it is permissible to look into the Code to see what exactly would have been the case if the Election Petition was a suit. The law is settled. Defective verification of the plaint would not entail its rejection but the defect is curable by calling upon the plaintiff to carry out the necessary amendment. Referring to the aforementioned provisions of the Code in *Murarka Radhey Shyam's case* (supra), it was held that reading the relevant section in Part VI of the Act, it is impossible to accept the contention that the defect in the verification, which is to be made in the manner laid down in the Code for the verification of the pleadings, is fatal to the maintainability of the petition.

Source of information, which according to respondent No. 1, is necessary, is not provided for in format No. 25 of the rules, but as contended, the same must be disclosed in accordance with rule 3 of Order 19 of the Code, read with Rule 9 of Ch. 12-B in Vol. IV of the High Court Rules and Orders and with rule 5 of Ch. XVIII of the rules applicable to the original side of this Court, wherein it is necessary for a dependent to disclose in the affidavit, when the averments made therein are verified to be true on the basis of information received; to disclose the source of information. Admittedly, the source of information is not disclosed. The effect of non-disclosure of the source of information deserves to be seen.

Similar question of the effect of non-disclosure of source of information, which was required to be given under the provisions of rule 7 of the Madhya Pradesh High Court Rules, came up for consideration in *Virendra Kumar Saklecha v. Jagiwan and others* (AIR 1974 SC 1957). The question was not decided in view of the fact that the election petition had been heard by the High Court for several months on merits after recording evidence. However, importance of disclosing the source of information was emphasised by the Court observing :

"The non-disclosure of grounds or sources of information in an election petition which is to be filed within 45 days from the date of election of the returned candidate, will have to be scrutinised from two points of view. The non-disclosure of the grounds will indicate that the election petitioner did not come forward with the source of information at the first opportunity. The real importance of setting out the sources of information at the time of the presentation of the petition is to give the other side notice of the contemporaneous evidence on which the election petition is based. That will give an opportunity to the other side to test the genuineness and veracity of the sources of information. The other point of view is that the election petitioner will not be able to make any departure from the sources or grounds. If there is any embellishment of the case it will be discovered."

In *Prabhu Narayan v. A. K. Srivastava* (AIR 1975 SC 968), absence of source of information in the affidavit regarding corrupt practices, which otherwise was in accordance with form 25 was held not to be fatal. Reliance was placed in holding so in *Krishan Chander v. Ram Lal* (AIR 1973 SC 2513), wherein a similar submission, as is made in this case by Mr. Jain was negated by holding that "when there are specific rules made under the Act which govern the Election Petitions, no other rules are applicable. Nor is the disclosure of the source of information a requisite under Order VI rule 15(2) C.P.C.". An affidavit filed in the prescribed form 25 of the rules affirming statement made in the relevant paragraph to be true to his information by the petitioner, without disclosing the source of information was held to be sufficient compliance of the provisions of law in *K. M. Mani v. P. J. Antony and others* (AIR 1979 SC 234).

In *F.A. Sapa's case* (supra), reviewing the entire case law on the subject and approving the ratio in *Murarka's* and *Saklecha's cases* (supra), it was held that the Election Petition under Section 83(1)(b) must itself contain all the necessary material facts and in the affidavit, the petitioner is required

to say which of the allegations are based on personal knowledge and which are based on information received and believed to be true. If the source of information has not been set out and the opposite party finds it difficult to answer the allegations regarding the corrupt practice he can always apply for better particulars. Failure to disclose or divulge the source of information, cannot be fatal to the maintainability of the Election Petition. Noticing the subsequent decision in Prabhu Narain's case (supra) and *Z. B. Bukhari v. B. R. Mehta* (AIR 1975 SC 1788), as also to an earlier decision in *Sahodrabai Rai v. Ram Singh Aharwar* (AIR 1968 SC 1079), the court in para 27 of the judgment held that :

"From the text of the relevant provisions of the R.P. Act, Rule 94A and Form 25 as well as Order 6, Rule 15 and Order 19, Rule 3 of the Code and the resume of the case law discussed above it clearly emerges (i) a defect in the verification, if any, can be cured, (ii) it is not essential that the verification clause at the foot of the petition or the affidavit accompanying the same should disclose the grounds or sources of information in regard to the averments or allegations which are based on information believed to be true, (iii) if the respondent desires better particulars in regard to such averments or allegations, he may call for the same in which case the petitioner may be required to supply the same, and (iv) the defect in the affidavit in the prescribed Form 25 can be cured unless the affidavit forms an integral part of the petition, in which case the defect concerning material facts will have to be dealt with, subject to limitation, under Section 81(3) as indicated earlier. Similarly, the Court would have to decide in each individual case whether the schedule or annexure referred to in Section 83(2) constitutes an integral part of the election petition or not; different considerations will follow in the case of the former as compared to those in the case of the latter."

Thus looking at the question posed in the light of the decision, the consistent view is that failure to disclose the source of information promptly, may have an adverse bearing on the probative value to be attached to the evidence, tendered in proof thereof but it is not fatal to the maintainability of the petition. A defective verification in the petition is curable and failure to disclose the ground(s) or source(s) of information is not fatal. If the party desires, better particulars as regards such averments or allegations may be called, which the petitioner may be required to file. However, failure to place them on record with promptitude may lead the court, in a given case, to doubt the veracity of the evidence tendered. In case, the affidavit or schedule or annexure form an integral part of an Election Petition itself, strict compliance of provision of law would be insisted upon and defect concerning material facts will have to be dealt with subject to the limitations in Section 81(3) of the Act.

In this view of the matter, the defect in the verification clause of the petition as also in the affidavit is not fatal and petition cannot be dismissed on this ground alone. However, keeping in view the fact that the affidavit in the instant case forms an integral part of the Election Petition, which is in support of the allegations of corrupt practices, the effect of non-disclosure of the source(s) of information will have to be seen while discussing issues 2 and 3. Issue No. 1, as such is decided against respondent No. 1.

Issue No. 4.

The allegations in para 19 of the petition are that the returned candidate and his agent with his consent promoted feeling of enmity and hatred between different classes of citizens of Hamirpur Parliamentary constituency on the grounds of religion for the furtherance of the election of the returned candidate and prejudicially affected the prospectus of the petitioner's election and published an appeal to the electors. In sub-para (h) thereof reference has been made to a public meeting addressed by Sadhvi Ritambhara on 16th May, 1991 in Government College ground at Bilas-

pur alleging that "Sadhvi Ritambhara delivered a speech and addressed a massive gathering of voters. The speech of Sadhvi Ritambhara was tape recorded and the transcript thereof is placed on the record as Annexure P-14. The tape, recorded cassette containing her address in the public meeting at Bilaspur shall be produced and demonstrated in the court during the course of the trial".

In the same para it is alleged that the speech was an attempt to promote feelings of enmity and hatred between different classes of citizens. It is also stated that the tape alongwith video cassette were displayed by he returned candidate through his election agents and other agents with his consent in almost entire constituency, which had the effect of arousing the sentiments of the electors and promoting the feelings of enmity and hatred between Hindus and Muslims. In sub-para (iv), (v), (vi) and (vii) of para 20 of the petition has alleged that the returned candidate indulged in promotion of feelings of enmity and hatred between different classes of citizens of India on the ground of caste and community in addition to religion. Reference therein has been made to the playing of the speech of Sadhvi Ritambhara recorded in audio cassettes appealing to voters in meetings held on 6th, 13th, 6th and 5th May, 1991, at Tainidevi in Tehsil Hamirpur, Daulatpur chowk in District Una, Kandraur in District Bilaspur and Pir Sahuki in Tehsil Dehra, respectively.

With respect to the speech, referred to in sub-para (h) of para 19 of Sadhvi Ritambhara alleged to have been tape recorded, a transcript is stated to have been placed on the record of the petition as Annexure P-14 but, there is no transcript placed on the record with respect to the speeches alleged to have been played in audio cassettes in the alleged meetings referred to in sub-paragraphs (iv) to (vii) of para 20. The video cassettes is also not produced on the record. The objection of respondent No. 1 is that since the cassettes and speeches form an integral part of the petition it was necessary for the petitioner to have placed on record the cassette whether it was video or audio and to supply to the respondents a copy thereof in accordance with law. In the absence of filing of the cassette which form an integral part of the petition, the same has to be dismissed as not complying with the requirements of law.

The submission of the learned counsel for the petitioner is that the production of cassettes in the court is not mandatory, even if it be assumed or held that the same are integral parts of the petition. Whether or not the cassette could be integral part of the petition cannot be decided unless the cassettes are filed in the court. The petitioner has filed only a transcript of the speech alleged to have been made on 16th May, 1991 and admittedly copy thereof has been supplied to the respondents, there is sufficient compliance with the provisions of law. With respect to the playing of the video cassette containing speeches of Sadhvi Ritambhara in the four meetings referred to in para 20, necessary averments and gifts of speeches have been made and disclosed in the petition. Since the petitioner is not in possession of the cassettes there is no question of production of the said cassette in the court, nor it was possible to file any transcript thereof. Non-filing or non-production of documents is not the requirement of law and will not be fatal. It is not required under law that copies of such of the documents which are not filed or annexed to the petition be supplied to the opposite party.

In *Sahodra Bai's case* (supra), in which the election petition itself reproduced the whole of the pamphlet translated in English by way of particulars of a corrupt practice and the original pamphlet in Hindi (Devnagri) was filed as an Annexure to the petition, without supplying copy thereof to the respondent, alongwith the copy of petition, the Supreme Court held that there was no breach of the provisions of the Act in regard to the filing of the election petition, since the election petition itself reproduced the whole of the translation in English, which averments with regard to pamphlet were themselves a part of the petition. The pamphlet was served upon the opposite party in a translated form and not in Hindi. The pamphlet in Hindi was held merely to be a document being a piece of evidence in the case, which for

reasons of clarity and to lend force to the petition was not kept back but produced or filed with the election petition. It was held in no sense to be an integral part of the averments in the petition but only evidence of those averments and a proof thereof. The ratio of this case was followed in *M. Kamalam's case* (supra), wherein the court held :

"...if a schedule or annexure is an integral part of the election petition, it must be signed by the petitioner and verified, since it forms part of the election petition. The subject-matter or sub-section (2) is thus a schedule or annexure forming part of the election petition and hence it is placed in Section 83 which deals with contents of an election petition. Similarly, and for the same reasons, the affidavit referred to in the proviso to Section 83 sub-section (1) also forms part of the election petition. The election petition is in truth and reality one document, consisting of two parts one being the election petition proper and the other being the affidavit referred to in the proviso to Section 83, sub-section (1). The copy of the election petition required to be filled under the first part of sub-section (3) of Section 81, would, therefore, on a fair reading of that provision alongwith Section 83, include a copy of the affidavit....."

The mandatory requirement of sub-section (3) of Section 81 of the Act is in two parts. The first part provides that every election petition shall be accompanied by as many copies thereof as there are respondents mentioned in the petition and the second part deals with the manner in which such copies shall be attested by the petitioner under his own signature to the true copy. Since these are mandatory provisions the same must be fulfilled exactly as provided in law but in so far as directory provisions are concerned it is sufficient if they are substantially complied with. The contention on behalf of respondent No. 1 is that by making reference to cassettes, which contains the alleged speeches of Sadhvi Ritambhara and without reproducing the speeches, the cassettes become integral part of the petition. Being an integral part, these should have been supplied alongwith the petition. Therefore, the non-supply thereof, in view of sub-section (3) of Section 81 read with Section 86 is fatal.

The question that when a document referred to and attached to the election petition would become an integral part or be merely a piece of evidence and a proof of the allegations contained therein, came up for consideration in *M. Karunanidhi v. H. V. Handa and others* (AIR 1983 SC 558). Photographs, which were produced in court, copies of which were not supplied to the opposite party were held to form an integral part of the election petition and not merely a piece of evidence, where allegations were based on photograph. Failure to supply copies of photograph was held to be amounting to violation of Section 81(3) of the Act. Referring to *Sahodrabai's case* (supra) and to the pleadings of the case the court held :

"The test to be applied in determining whether the photograph referred to in paragraph 18(b) is an integral part of the election petition or was merely a piece of evidence in proof of the allegations contained therein depends on whether it is a part of the pleadings...."

The reasons which prevailed with the court holding the photograph to be an integral part of the petition were that in the absence of the photograph, the averment contained in the petition would be incomplete and consequently, non-supply thereof a total non-compliance of Section 81(3) of the Act. In para 42, of the report, the court held :

"The conclusion is irresistible that the words 'copies thereof' in sub-sec (3) of Section 81 read in the context of sub-section (2) of Sec. 83 must necessarily refer not only to the election petition proper but also to schedules or annexures thereto containing particulars of any corrupt practice alleged therein. That being so, we are constrained to reverse the judgment of the High Court insofar as it holds that the photograph of the fancy banner adverted to in

paragraph 18(b) could not be treated to be integral part of the election petition but was merely a piece of evidence as to the nature and type of fancy banner erected by the appellant and therefore failure to supply a copy of the photograph to the appellant did not amount to a violation of the provisions of sub-sec. (3) of Section 81 of the Act."

Following the ratio in *Sahodrabai's case* (supra), in a subsequent judgment in *A. Madan Mohan v. Kalavakunta Chandra Shekhara* (AIR 1984 SC 871), it was held that the document, unless expressly referred to in the petition, would not become an integral part of the petition and as such copy thereof need not be supplied since the same would only be a piece of evidence as regards the averments in the petition and it would always be open to the opposite party to inspect them and find out the allegations made in the petition.

In *U. S. Sasidharan vs. K. Karunakaran and another* (AIR 1990 Supreme Court 924) it was held that when a reference is made in the election petition to a document, while stating material facts or particulars, when such material facts and particulars are contained in the documents and its contents are not pleaded in the petition, the document would become an integral part of the petition. The observations of the Court to this effect are to be found in paras 15 to 17 of the report as follows :—

"15. We have already referred to section 83 relating to the contents of an election petition. The election petition shall contain a concise statement of material facts and also set forth full particulars of any corrupt practice. The material facts or particulars relating to any corrupt practice may be contained in a document and the election petitioner, without pleading the material facts or particulars of corrupt practice, may refer to the document. When such a reference is made in the election petition, a copy of the document must be supplied inasmuch as by making a reference to the document and without pleading its contents in the election petition, the document becomes incorporated in the election petition by reference. In other words, it forms an integral part of the election petition. Section 81(3) provides for giving a true copy of the election petition. When a document forms an integral part of the election petition and a copy of such document is not furnished to the respondent along with a copy of the election petition, the copy of the election petition will not be a true copy within the meaning of section 81(3) and, as such the court has to dismiss the election petition under Section 86(1) for non-compliance with section 81(3).

16. On the other hand, if the contents of the document in question are pleaded in the election petition, the document does not form an integral part of the election petition. In such a case, a copy of the document need not be served on the respondent and that will not be non-compliance with the provision of S. 81(3). The document may be relied upon as an evidence in the proceedings. In other words, when the document does not form an integral part of the election petition, but has been either referred to in the petition or filed in the proceedings as evidence of any fact, a copy of such a document need not be served on the respondent along with a copy of the election petition.

17. There may be another situation when a copy of the document need not be served on the respondent along with the election petition. When a document has been filed in the proceedings, but is not referred to in the petition either directly or indirectly, a copy of such document need not be served on the respondent. What S. 81(3) enjoins is that a true copy of the election petition has to be served on the respondents including the elected candidate. When a document forms an integral part of an election petition containing material facts or particulars of corrupt practice, then a copy of the election petition without such a document is not complete and cannot be said to be a true copy of the election petition. Copy of such document must be served on the respondents."

In that case there was specific allegation made as regards the video cassette recording the speeches of Government Officers, alleged to have been used by the returned candidate and prepared at the instance of the said candidate for election propaganda. The video cassette was held to form an integral part of the petition. Copy of the election petition served without serving copy of video cassette was held to be non-compliance of the provisions of Section 81(3) of the Act.

Considering the aforementioned cases, it is apparent that when the contents of a document are pleaded in the election petition, the document does not form an integral part of an election petition. In such a case, a copy of the document need not be served on the respondent and that will not be a non-compliance with the provisions of Section 81(3) of the Act. The document may be relied upon as an evidence in the proceedings. In the instant cases, the petition has relied upon only a transcript of the alleged video cassette recording of the alleged speech of 16th May, 1991. Neither the cassette has been filed, nor its copy supplied to the respondents. Similarly, with respect to the other speeches, only a reference is made to the speeches but neither the transcript thereof nor cassettes have been either filed in the court or attached with the election petition, copies thereof have also not been supplied to the respondents. Speeches have also not been reproduced. Irrespective of the fact that whether the cassettes form an integral part of the petition or not when such cassettes have not at all been either annexed to the petition or filed alongwith the petition in the Court, neither it is shown, nor in view of any of the provisions of the Act or the Code it was obligatory on the part of the petitioner to have supplied copies of the same to the respondents. However, the effect of not filing the same in Court will have to be examined while considering the other issues framed namely, whether in the absence of these cassettes, the petition can be said to be disclosing a complete cause of action in support of the grounds of corrupt practices. The issue is accordingly decided against the respondent.

Issue No. 2

The averments made in para 12 of the petition are in support of the ground that the result of election in so far as it concerns the returned candidate has materially been effected by improper reception of votes which were liable to be rejected and which were void. It is alleged that the votes have improperly been counted in favour of the returned candidate and improperly been rejected which were in favour of the petitioner. Sub-para (i) to (v) thereof, according to the petitioner, contain the particulars of such improper reception/rejection of votes and are to the following effect :—

- “(i) That out of 5831 postal ballots, 250 were received after the expiry of the time fixed in that behalf and therefore those covers in Form 13-C could not have been opened, but this objection of the petitioner was turned down. It is however submitted that out of 5831 postal ballots received, 1837 ballots were rejected.
- (ii) That the Returning Officer without scrutinising the declarations in form 13-A as to whether such declarations were there or not or as to whether they were duly signed and attested or were otherwise substantially defective or whether the serial number of the ballot papers as entered in it differed from the serial number endorsed on the Cover Form 13-B, opened the covers and counted the votes. The petitioner submits that there were 150 covers which did not contain the declaration in Form 13-A and 200 declarations were not duly signed and attested and in respect of 125 declarations the serial number of the ballots differed from the serial number endorsed on the Cover in Form 13-B, but the Returning Officer by non-compliance of the provisions of the rules made in this behalf improperly accepted those votes in favour of the returned candidate.
- (iii) That 25 ballot papers bore marks by which the elector could be identified and therefore were liable to be rejected but they have been improperly accepted in favour of the returned candidate.

- (iv) That 60 ballots were not returned in the covers sent alongwith it to the elector by the Returning Officer and therefore were liable to be rejected, but the same have been improperly accepted in favour of the returned candidate.
- (v) That out of rejected votes 320 votes were duly voted for the petitioner but have been wrongly rejected.”

After making the aforementioned averments, particulars regarding other votes wrongfully accepted or rejected wrongfully are narrated from page 8 to 56 of the petition with name of the polling stations.

The objection, giving rise to the framing of this issue is that false, baseless and imaginary allegations have been made in this para by reproducing in about 48 pages of the petition, the names of almost all polling booths in the entire Parliamentary Constituency, mentioning at random the ballot papers numbering 1 to 15 in each polling station having been either wrongly counted, rejected or accepted. It is stated that neither the details nor particulars of the ballot papers have been given. It is also not disclosed as to how the petitioner has got the information. The figures are imaginary. It is alleged that petitioner as well as counting agents were present in the counting hall and at the time when ballot papers were counted not even a single objection was raised by the counting agents. Since figures are only imaginary and product of wishful thinking on the part of the petitioner, the allegations in para 12 of the petition as a whole are liable to be struck off. In reply to this preliminary objection, the petitioner in his rejoinder has not averred that any objection was raised either by him or any of his counting agents at the time of counting. It has been asserted that the petitioner is not required to mention evidence in support of the allegations and that material facts have already been supplied. In order to assess the strength in the objection and the impact of the averments made in para 12 of the petition, it is worthwhile to make a reference to various provisions of the Act and the Rules.

Chapter V of the Act deals with the counting of the votes and Section 64 therein says that at every election where the poll is taken, votes shall be counted by or under the supervision and directions of the Returning Officer and each contesting candidate, his election agent and his counting agents, shall have a right to be present at the time of counting. Section 66 requires the declaration of the result of the election in the manner as provided in the Act or Rules the moment counting of votes has completed.

Part V of the Conduct of Election Rules, 1961 (hereinafter referred to as ‘the Rules’) relates to the counting of votes in a Parliamentary and Assembly Constituency. At least one week before the date, the Returning Officer by virtue of Rule 51 is required to appoint the place or places where the counting of votes is to be done, alongwith date and time where the counting is to commence. A candidate is entitled to appoint counting agents by virtue of Section 47 read with Rule 52, which term has been defined in Rule 51(c) to mean a counting agent duly appointed under Section 47 and includes a candidate and the election agent of a candidate at the counting. Ballot papers received by post are required to be dealt with by the Returning Officer, first by virtue of Rule 54(A), which contains details of the procedure to be followed for accepting or rejecting and counting the votes cast by postal ballot. After complying with the necessary formality all postal ballots and rejected ballots are required to be separately bundled and kept together in a packet, which is to be sealed with the seal of the Returning Officer and of such candidates, their election agents and counting agents as may desire to fix their seal thereon. After dealing with the postal ballots the Returning Officer by virtue of Rule 55 is required to have the ballot boxes, used in various polling stations, opened and to have the ballot papers, found in such boxes, counted simultaneously. Counting agents present at the table are allowed to inspect the paper seal or other such seals as might have been affixed thereon. Rule 56 casts a duty upon the Returning Officer to have the ballot papers, taken out of each ballot box, arranged in convenient bundles and scrutinised. Ballot papers as provided in sub-rule (2) of Rule 56 may be rejected, if any of the defects stated in sub-clauses (a) to (h) is noticed. Sub-

rule (3) thereof enjoins a duty on the Returning Officer to allow each counting agent present a reasonable opportunity to inspect the ballot paper, before rejecting the same under sub-rule (2). After rejecting a ballot paper, the Returning Officer is required to make an endorsement on each ballot paper with the word 'rejected' alongwith ground of rejection in abbreviated form. All rejected ballot papers are then to be bundled together. Such of the ballot papers which have not been rejected are thereafter to be counted. After the counting is completed the counting supervisor is obliged to prepare the result of counting by filling and signing Part II in form 16, which ultimately is required to be signed by the Returning Officer. Clause (b) of sub-rule (7) of Rule 56 says that the Returning Officer shall then make the entry in a result sheet in form 20 and announce the particulars.

Counting as per Rule 60 has to be continuous. Rule 63 says that after the completion of the counting the Returning Officer shall record the result in form 20 about the total number of votes polled by each candidate and announce the same. After such announcement, the candidate or in his absence, his election agent or any of his counting agents is entitled to apply in writing, as is envisaged under sub-rule (2) thereof to the Returning Officer for a recount of the votes, either wholly or in part, stating the ground on which demand for recount is made. On such an application having been made, the Returning Officer is required to decide the same by recording his decision with reasons thereof. In case a recount is ordered, either wholly or in part, same procedure is to be followed for recounting the voters, as is required to be followed for counting the votes. On recount, result sheet in form 20 is required to be amended and amendments so made are again required to be announced by the Returning Officer. Sub-rule (6) of Rule 63 provides that after the total number of votes polled by each candidate has been announced, the Returning Officer shall complete and again sign the result sheet whereafter no application for recount shall be entertained. This is subject to a proviso that no steps, to announce the result of counting is to be taken, until the candidate and election agents present at the completion thereof have been given a reasonable opportunity to exercise the right to have a recount conferred by sub-rule (2).

If ballot papers are counted at more places than one, the same procedure shall apply to the counting at each place as regards counting of votes but rule 54(A) pertaining to postal ballot, rule 63 relating to recount of votes and rule 64 pertaining to declaration of the result of election is to apply only to the counting at the last of such places.

On completion of aforementioned process, result is to be declared in an appropriate form, as per the requirement of Rule 64, declaring the candidate to whom the largest votes have been given.

In the light of the aforementioned provisions of the Act and the Rules it has to be seen whether the averments made by the petitioner praying for declaring the election of the respondent to be void due to the improper acceptance and rejection of the votes and further declaring that but for the votes obtained by the returned candidate accepted or rejected wrongfully, the petitioner would have secured the majority of votes and as such he be declared as duly elected, are sufficient enough so that the petition may be set down for trial on merits or whether the averments are totally vague not containing material facts disclosing any cause of action. A bare reading of the entire para 12 with sub-para (i) to (v) would show that grievance has been made relating to 5831 postal ballots, 1837 ballots are stated to have been rejected and 320 out of the same alleged to have been casted in favour of the petitioner and wrongly rejected. It is alleged that 150 did not contain any declaration; in 200 declaration was neither signed nor attested; serial number on 125 ballot differed from the serial number on the declarations; 25 ballots bore marks of identification and 60 were not received in the cover sent for the purpose. In all, these averments account for 560 ballots as having been improperly accepted in favour of the returned candidate. 250 ballots are alleged to have been received after the expiry of the time fixed in that behalf. It is not alleged as to whether these were accepted or were counted in favour of the returned candidate.

The further averment made in para 12, as can be ascertained, by making proper calculations of the data supplied

from page 8 to 56 of the petition with respect to the other ballots, is that in 697 Polling Stations of 12 Assembly Segments 3556 ballots were either wrongfully accepted or rejected as under :—

Name of Assembly Segment	Total number of Polling Stations	Ballots wrongly accepted/rejected
Bilaspur	69	250
Ghumarwin	52	268
Nadaun	51	213
Nadaun	51	213
Hamirpur	54	467
Mewa	56	275
Nadaunta	62	327
Cintpurni	54	261
Santokbgarh	63	254
Una	64	226
Kutlehar	66	323
Pragpur	61	473
Jawalamukhi	45	228
	697	3565

It is not ascertainable by making reference to the averments made in para 12 as to whether these pertain to postal ballot or to the other ballots. Since the averments relate to 697 polling stations, it can be only inferred that the information is not for the postal ballots. In the third column the petitioner has made an effort to elaborate the averments by showing the manner in which the ballots were wrongfully accepted or rejected. To cite example, some of the allegations are as follows :—

Khundian—A bundle of 50 ballots which had marking for petitioner was wrongly put in the account of the returned candidate.

Tipp—3 ballots in which voters were identifiable were given to returned candidate.

Beehan—7 ballots which had multiple marking were given to returned candidate.

Padyola—3 ballots which had marking for the petitioner were given to returned candidate when counting agents were handling the ballots.

Similar allegations have been made in similar words as regards 697 Polling Stations and 3565 ballots. The objection is that there is total lack of material particulars giving rise to a triable cause of action.

Since the allegations are with respect to both postal ballot and the other ballots, in addition to the provisions of the Act and the Rules (discussed above, reference to some of the other provisions will also be necessary, in order to find out as to whether the allegations made in the entire para 12 give rise to a triable cause of action.

Postal ballot papers are required to be dealt with first at the time of counting. No cover in form 13-C, received after the expiry of the time fixed in that behalf can be opened and no vote contained therein can be counted. After excluding the covers received after the expiry of the time, other covers are to be opened, but before doing so the Returning Officer has to first scrutinise the declaration by the elector in form 13-A contained therein. If the declaration is missing or is not signed and attested or is otherwise defective in any manner, or if the serial number of the ballot paper differs from the serial number on the cover in form 13-B the said cover is not to be opened and after making appropriate endorsement, the Returning Officer is bound to reject the ballot papers contained therein. All these rejected

ballots are to be kept in a separate packet to be sealed in the manner provided for. After the needful has to be done, all such declarations in form 13-A, which are found to be in order are to be separately packed and sealed and it is only thereafter that all covers in form 13-B are to be opened. On opening of form 13-B the ballot papers contained therein are required to be scrutinised by the Returning Officer, who has to decide the validity of the votes recorded therein. Postal ballot paper is to be rejected in the eventualities, as are stipulated in sub-clauses (a) to (e) of sub rule (8) of Rule 54-A. Sub-rule (12) ensures the performance of duty by the Returning Officer, in the manner prescribed, since all the accepted and rejected ballot papers, which are to be kept in a separate bundles and then kept together in a packet are required to be sealed with the seal of the Returning Officer and of the candidates, their election agents and counting agents as may desire to affix their seals thereupon. This process is to be completed after the Returning Officer having counted all valid votes and recorded the total in the result sheet in form 20.

Similarly, Rule 56 details the procedures of counting of other votes, as has been noticed above to be dealt with in the light of the aforementioned provisions of the rules as also in the light of the allegations made in paras 13 and 14 of the petition.

It is alleged in para 13 that the ballot papers were counted at more places than one, last of which was Hamirpur. On 16th June, 1991, the petitioner went to Mr. S. M. Katwal, the Returning Officer and brought to his notice various irregularities having been committed during counting of votes and expressed his right to seek recount. The petitioner has alleged that he was told by Mr. S. M. Katwal that since the counting at Hamirpur was likely to be over shortly and the result at three centres had not till then received, he was assured that opportunity shall be afforded to him, as provided under the Rules, without which final results cannot be declared. The petitioner believed such an assurance and left for his office, feeling assured that he shall be given an opportunity by the Returning Officer. It is further alleged that the petitioner had appointed Shri Ranjit Singh Verma as the counting agent on the table of the Returning Officer and after about an hour he was informed by Shri Verma that counting of Hamirpur was over and since the results from three other centres had not reached counting had been adjourned. The petitioner kept on waiting for information from the Returning Officer but without affording the petitioner an opportunity to exercise his right to demand recount, the result was declared of which the petitioner came to know in the early hours of 17th June, 1991 when he tuned All India Radio.

Dealing with the grievance which virtually is about recount first, suffice it to say that by virtue of Rule 65 provisions of Rule 54-A and 63 would apply only to the last counting place, namely, Hamirpur, where according to the petitioner, the Returning Officer himself was present and on his table Shri Ranjit Singh Verma was the counting agent. There is no averment in para 13 or in the entire petition that after the completion of counting and on recording the result thereof in the result sheet in form 20, when the particulars of the total number of votes polled by each candidates were announced, whether a request in writing to the Returning Officer, to have the recount of votes was or was not made. Sub-rule (2) of Rule 63, as noticed above, in clear terms provides that such a right of recount can be exercised by a candidate or in his absence his election agent or any of his counting agents. In case the petitioners had noticed any irregularity in counting or any irregularity had come to his notice, entitling and enabling him to exercise the right to have recount, either he or in his absence his election agent or any of the counting agents ought to have moved an application in writing stating the ground on which recount was demanded. From the bare averments, it can be noticed that it is not the case of the petitioner that any recount was demanded by moving an application in writing. It is also not the case of the petitioner that attention of the Returning Officer was drawn to any ground on which recount could be demanded. Para 13 of the petition dealing with allegations giving rise to a demand of recount do not contain necessary and mandatory material facts which might enable the petitioner to have a recount.

In para 12 of the petition, wherein averments have been made as regards improper reception or rejection of votes or reception of votes which were void, it can be noticed that the petitioner has not given the serial number of the postal ballots, which according to him had been taken into consideration, which in their turn are alleged to have been received after the expiry of the time in that behalf. Similarly, serial number of the postal ballots not containing any declaration in form 13-A or containing unsigned and unattested declaration or the covers having serial numbers different than the one contained in form 13-B or such of the ballot papers, bearing marks by which electors could be identified and the ballots received in covers not sent alongwith it to the electors, have not been given. Serial number of ballots of which particulars are stated from page 8 to page 56 of the petition are also not mentioned. Reading of the Rules make it clear that the petitioner or his election agent or counting agents at the counting centres were supposed to be possessed of ample opportunity to examine the ballot papers at the time of scrutiny, rejection and acceptance. In respect of each ballot paper the petitioner or in his absence his election agent or in his absence his counting agent or agents would be in a position to set out precisely their objections for acceptance or rejection of the ballot papers. In order to find out the genuineness of the grievance, it is only when the ballot paper numbers are given with respect to those ballot papers with respect to which there is any grievance that the same can be scrutinised. Absence of such an information, which the petitioner alone should have known or should be deemed to know, any inspection of the ballot paper would be merely a roving and fishing inquiry, which precisely is prohibited under Section 83(1)(a) of the Act. In the entire election petition, grounds in support of allegations made in paras 12 and 13 are not at all stated. Necessity of giving such facts which are material facts, such as number of ballot papers, the precise objection with regard to each of such ballot paper has been held to be a part of statement of material fact, in the absence of which, any averment of the acceptance or reception of votes or reception of vote to be void will not give rise to a triable cause of action.

In *Dr. Jagjit Singh vs. Giani Kartar Singh* (AIR 1966 Supreme Court 773), the Supreme Court, after referring to the scheme of the Act and the Rules, emphasised that the election petitioner, who is a defeated candidate has ample opportunity to examine the ballot papers before they are counted and in each case, the objections raised by him or his election agent having been improperly over-ruled. He knows precisely the nature of objection raised by him and the particulars of the voting paper to which those objections related. It is in the light of this background that Section 83(1) of the Act has to be applied to the petition made for inspection of ballot boxes and such application must contain a concise statement of material facts. The view which the Apex Court had earlier taken in *Ram Sewak Yadav vs. Hussain Kamil Kidwai and others* (AIR 1964 Supreme Court 1249), in *Smt. Dr. Sushila Balraj vs. Shri Ardhendu Bhushan* (1964) C. A. No. 222 of 1964 decided on 18-3-1964 (SC) and in *Sita Ram Mahto vs. Ramanandan Rai* (1965) C. A. No. 45 of 1965 decided on 10-2-1965, was applied in the case of *Dr. Jagjit Singh* (supra) by observing :—

".....Section 83(1)(a) of the Act requires that an election petition shall contain a concise statement of the material facts on which the petitioner relies; and in every case, where a prayer is made by a petitioner for the inspection of the ballot boxes, the Tribunal must enquire whether the application made by the petitioner in that behalf contains a concise statement of the material facts on which he relies. Vague or general allegations that valid votes were improperly rejected, or invalid votes were improperly accepted, would not serve the purpose which S. 83(1)(a) has in mind. An application made for the inspection of ballot boxes must give material facts which would enable the Tribunal to consider whether in the interests of justice, the ballot boxes should be inspected or not. In dealing with this question, the importance of the secrecy of the ballot papers cannot be ignored, and it is

always to be borne in mind that the statutory rules framed under the Act are intended to provide adequate safeguard for the examination of the validity or invalidity of votes and for their proper counting....."

In *Jitendra Bahadur Singh vs. Krishna Behari and others* (AIR 1970 Supreme Court 276), the Supreme Court held that it is quite easy for the counting agents to note down the serial numbers of the concerned ballot papers, therefore, if the election petition is silent as to the inspection of the ballot papers or whether the counting agents have noted down the serial numbers of those ballot papers or whether those agents raised any objection relating to the validity of those ballot papers, if so, who those agents are and what are the serial numbers of the ballot papers to which each one of them advanced their objections, the material facts required to be stated are not satisfied and hence scrutiny of ballot paper should not be ordered. The Court while holding so made the following observations :—

".....In the instant case apart from giving certain figures whether true or imaginary, the petitioner has not disclosed in the petition the basis on which he arrived at those figures. His bald assertion that he got those figures from the counting agents of the congress nominee cannot afford the necessary basis. He did not say in the petition who those workers were and what is the basis of their information. It is not his case that they maintained any notes or that he examined their notes, if there were any. The material facts required to be stated are those facts which can be considered as materials supporting the allegations made. In other words they must be such facts as to afford a basis for the allegations made in the petition....."

Reiterating the above view in *Beli Ram Bhalai vs. Jai Behari Lal Khachi and another* (AIR 1975 Supreme Court 283), it was held :

".....that Sections 100(1)(d)(iii), 101, 102 of the Act and Rule 93 of the Conduct of Election Rules, 1961 implicitly give the Court trying an election petition the power to order a recount or production of the ballot papers and permit their inspection by the parties. Since an order for a recount touches upon the secrecy of the ballot, it should not be made lightly or as a matter of course. Although no caste iron rule of universal application can be or has been laid down, yet, from a beadrill of the decisions of this Court, two broad guidelines are discernible : that the Court would be justified in ordering a recount or permitting inspection of the ballot papers only where (i) all the material facts on which the allegations of irregularity or illegality in counting are founded, are pleaded adequately in election petition, and (ii) the Court/Tribunal trying the petition is prima facie satisfied that the making of such an order is imperatively necessary to decide the dispute and to do complete and effectual justice between the parties....."

Similar allegations as are contained in paras 12 and 13 of the instant election petition were held in *Beli Ram Bhalai's* case (supra) as not precise and were held to be general and vague, floating on the suspicions and belief of the petitioner rather than resting on terra firma of material facts. Applying the ratio of *Ram Sewak Yadav's* case (supra) that mere allegations that the petitioner suspects or believes that there has been improper reception, refusal or rejection of votes or there has been irregularity in the counting of ballot papers will not be sufficient to support an order or recount and inspection.

Reiterating the aforementioned view in *Chanda Singh vs. Ch. Shiv Ram Varma and others* (AIR 1975 Supreme Court 403), Krishna Iyer, J. observed thus :

".....On all hands, it is now agreed that the importance of the secrecy of the ballot must not be lost

sight of, material facts to back the prayer for inspection must be bona fide, clear and cogent and must be supported by good evidence. We would only like to stress that in the whole process, the secrecy is sacrosanct and inviolable except where strong prima facie circumstances to suspect the purity, propriety and legality in the counting is made out by definite factual averments, credible probative material and good faith in the very prayer. We may even say that no winning candidate should be afraid of recount and, conditions as they are, a sceptical attitude expecting the unexpected may be correct, informed of course by the broad legal guidelines already set out....."

Summarising the entire case law, in *Bhabhi vs. Sheo Govind and others* (AIR 1975 Supreme Court 2117), the Court catalogued the following circumstances under which recount could be ordered :

- "(1) That it is important to maintain the secrecy of the ballot which is sacrosanct and should not be allowed to be violated on frivolous, vague and indefinite allegations;
- (2) That before inspection is allowed, the allegations made against the elected candidate must be clear and specific and must be supported by adequate statements of material facts;
- (3) The Court must be prima facie satisfied on the materials produced before the Court regarding the truth of the allegations made for a recount;
- (4) That the Court must come to the conclusion that in order to grant prayer for inspection it is necessary and imperative to do full justice between the parties;
- (5) That the discretion conferred on the Court should not be exercised in such a way so as to enable the applicant to indulge in a roving inquiry with a view to fish materials for declaring the election to be void; and
- (6) That on the special facts of a given case sample inspection may be ordered to lend further assurance to the prima facie satisfaction of the Court regarding the truth of the allegations made for a recount, and not for the purpose of fishing out materials.

If all these circumstances enter into the mind of the Judge and he is satisfied that these conditions are fulfilled in a given case, the exercise of the discretion would undoubtedly be proper."

The aforementioned ratio was further approved in *N. Narayanan vs. S. Semmalai and others* (AIR 1980 Supreme Court 206). In *Sasanagouda vs. Dr. S. B. Amarkhed and others* (AIR 1992 Supreme Court 1163), the Supreme Court held that the Court shall not permit a roving enquiry to enable the defeated candidate to have access to the ballot papers to fish out the grounds. In the instant case, without stating the material facts ultimately effort appears to be to have a fishing or roving enquiry in the matter which is totally prohibited. In the absence of the ballot numbers and precise objection with respect to each, the Court will not at all look at such allegations.

Applying the ratio of the aforementioned judgments to the facts of the instant case, it can be noticed that there is total lack of material facts in so far as allegations in paras 12 and 13 are concerned. Ballot paper numbers are not mentioned. With respect to each, the precise objection is not stated. Apart from giving certain figures of the ballot papers, whether true or imaginary, the petitioner has not disclosed any source or material on which he has arrived at those figures. It is his bald assertion. No doubt, he has given the names of Polling Stations but has neither given the table numbers or the counting centres with the number of ballot papers so as to find out as to whether the bald assertion of his is based upon any material. The basis of information has also not been disclosed. It has nowhere been

stated in the petition as to whether the information has been supplied to him by the election agent or by his counting agent, if so, the name of the counting agent. In Jitendra Bahadur Singh's case (supra), the Supreme Court treated all these facts as material facts required to be stated in the petition. The averments are nothing but as held in *Bali Ram Bhalai's* case, as not precise, being entirely general and vague floating on suspicious and beliefs of the petitioner rather than resting on terra firma of material facts. Thus, there is complete lack of material facts and due to the non-impledment of the basic requirement, namely, the concise statement of material facts which is a sine qua non to an election petition, paras 12 and 13 of the petition deserves to be struck off. The issue is decided accordingly.

ISSUE NO. 3 :

A petition calling in question any election by virtue of Section 81 of the Act, can be presented on any one or more of the grounds specified in sub-section (1) of Section 100 and Section 101 of the Act. The grounds stated in sub-section (1) of Section 100 for declaring an election to be void are, inter alia, as follows :—

- (a) commission of any corrupt practice by the returned candidate or his election agent or by any other person with the consent of returned candidate or his election agent;
- (b) improper rejection of any nomination;
- (c) result of the election in so far as it concerns a returned candidate having been materially affected by :
 - (i) improper acceptance of any nomination; or
 - (ii) by commission of corrupt practice, in the interest of returned candidate by an agent, other than his election agent; or
 - (iii) improper reception, refusal or rejection of any vote or reception of any vote, which is void; or
 - (iv) due to any non-compliance with the provisions of the Constitution, or the Act or Rules made under the Act.

Election petition is required to contain a concise statement of material facts on which the petitioner relies Section 83(1) (a). Sub-clause (b) of sub-section (1) of Section 83 of the Act further requires the setting forth of full particulars of any corrupt practice alleged including as full a statement as possible of the names of the parties alleged to have committed such corrupt practice and the date and place of the commission of any such practice.

Various corrupt practices have been defined and enumerated in Section 123 of the Act, such as, bribery, undue influence; appeal on the ground of religion, race, caste, community or language; promotion of feeling of enmity or hatred on the ground of religion, race, caste, community or language; hiring or procuring of vehicles for free conveyance of the electors; obtaining the assistance from any person in the service of the Government etc.

An election petition is to be tried by the High Court as nearly as may be, in accordance with the procedure applicable under the Code for the trial of a suit (Section 87). Sub-section (1) of Section 86 empowers and also enjoins a duty on the High Court to dismiss an election petition, which does not comply with the provisions of Section 81, 82 or 117 of the Act.

The objection of respondent No. 1 is that the entire petition does not disclose any cause of action and as such is liable to be dismissed. The petitioner on the other hand contends that the petition is not liable to be dismissed at the threshold on the basis of the preliminary objections raised. The facts stated in various paragraphs of the election petition do constitute making of allegations of corrupt practices and also do disclose cause of action within the meaning of Section 100 of the Act.

The question posed is as to whether an election petition can be dismissed at the preliminary stage or has the Court

any jurisdiction to strike out pleadings under Order 6 Rule 16 of the Code or to reject the petition under Order 7 Rule 11 thereof as disclosing no cause of action, which need no elaborate discussion. Since Section 87 which deals with the procedure for the trial of petition in accordance with the procedure laid down in the Code, applicable to suits, Order 6 Rule 16, Order 7 Rule 11 and other provisions of the Code are applicable, subject to various other provisions of the Act. Order 6 Rule 16 enjoins upon a Court, at any stage of the proceedings, to strike out or delete pleadings, which are unnecessary, scandalous, frivolous or vexatious or which may tend to prejudice embarrass or delay the fair trial of the suit. It also empowers the Court to strike off those paras of a plaint, which do not disclose any cause of action. Consequently, it is the duty of the Court to examine the plaint and if on an examination, it finds that it does not disclose any cause of action, Court would be justified in striking off the pleadings. In case, the Court finds that allegations made in the plaint do not make out any cause of action and the trial would pre-judge, embarrass and delay the proceedings, it may strike out pleadings and when it finds that no triable issue remains to be considered, it is empowered to reject the plaint under Order 7 Rule 11 of the Code.

It must be realised, as held in *Jagan Nath vs. Jaswant Singh and others* (AIR 1954 Supreme Court 210), that though the election of a successful candidate is not to be lightly interfered with, one of the essentials of the law is also to safeguard the purity of the election process and also to see that people do not get elected by flagrant breaches of that law or by corrupt practices. But before an election petition is taken to trial, statutory

requirement of election law must be strictly observed, since :

".....an election contest is not an action at law or a suit in enquiry but is a purely statutory proceeding unknown to the common law and that the Court possesses common law power. It is also well settled that is a sound principle of natural justice that the success of a candidate who has won at an election should not be lightly interfered with and any petition seeking such interference must strictly conform to the requirements of the law. None of these propositions however has any application if the special law itself confers authority on a Tribunal to proceed with a petition in accordance with certain procedure and when it does not state the consequences of non-compliance with certain procedural requirements laid down by it."

In *K. Kamaraj Nadar vs. Kunju Thevar and others* (AIR 1958 S.C. 687), the supreme Court set aside an order passed by an Election Tribunal and of the High Court, refusing to consider the preliminary objections raised by the returned candidate, at the initial stage, on the ground that the same would be considered at the trial of the election petition; and held that the preliminary objection should be entertained and a decision reached thereupon before further proceedings are taken in the election petition. The Court so observed in the following words :

"We are of opinion that both the Election Tribunal and the High Court were wrong in the view they took. If the preliminary objection was not entertained and a decision reached thereupon, further proceedings taken in the Election Petition would mean a full fledged trial involving examination of a large number of witnesses on behalf of the 2nd respondent in support of the numerous allegations of corrupt practices attributed by him to the appellant. His agents or others working on his behalf; examination of a large number of witnesses by or on behalf of the appellant controverting the allegations made against him; examination of witnesses in support of the recrimination submitted by the appellant against the 2nd respondent; and a large number of visits by the appellant from distant places like Delhi and Bombay to Ranchi resulting in not only heavy expenses and loss of time and diversion of the appellant from his public duty in the various fields of activity including those in the House of the People.

It would mean unnecessary harassment and expenses for the appellant which could certainly be avoided if the preliminary objection urged by him was decided at the initial stage by the Election Tribunal."

Section 83 of the Act, like the Code of Civil Procedure, contains a distinction between material facts and material particulars. The distinction between material facts and material particulars is absolutely important since different consequences may flow from a deficiency of material facts and particulars in the pleadings. As has been held in *Udhav Singh vs. Madhav Rao Scindia* (AIR 1976 Supreme Court 744), that failure to plead even a single material fact leads to an incomplete cause of action and incomplete allegations of such a charge are liable to be struck off under Order 6, Rule 16, CPC and if the petition is based solely on those objections, which suffer from lack of material facts, the petition is liable to be summarily rejected.

Constitution Bench considering the pleadings in an election petition challenging the election of Giani Zail Singh, the then President of India, summarily rejected, at the initial stage, the petition on the ground that the pleadings contained in the election petition, even assuming to be true and correct did not disclose any cause of action for setting aside the election of the returned candidate (See: *Charan Lal Sahu vs. Giani Zail Singh*, AIR 1984 Supreme Court 309). Dealing with the same question in *Azhar Hussain vs. Rajiv Gandhi* (AIR 1986 Supreme Court 1253), it was held that the whole purpose of the conferment of powers to reject a petition disclosing no cause of action is to ensure that a litigation which is meaningless and bound to prove abortive should not be permitted to occupy the time of the Court and exercise the mind of the respondent. The sword of Damocles need not be kept hanging over his head unnecessarily without point or purpose. It was further held that:

"Even in an ordinary Civil litigation the Court readily exercises the power to reject a plaint if it does not disclose any cause of action. Or the power to direct the concerned party to strike out unnecessary, scandalous, frivolous or vexatious parts of the pleadings. Or such pleadings which are likely to cause embarrassment or delay the fair trial of the action or which is otherwise an abuse of the process of law. An order directing a party to strike out a part of the pleading would result in the termination of the case arising in the context of the said pleading. The Courts in exercise of the powers under the Code of Civil Procedure can also treat any point going to the root of the matter such as one pertaining to jurisdiction or maintainability as a preliminary point and can dismiss a suit without proceeding to record evidence and hear elaborate arguments in the context of such evidence, if the Court is satisfied that the action would terminate in view of the merits of the preliminary point of objection. The contention that even if the election petition is liable to be dismissed ultimately it should be so dismissed only after recording evidence is a thoroughly misconceived and untenable argument. The powers in this behalf are meant to be exercised to serve the purpose for which the same have been conferred on the competent Court so that the litigation comes to an end at the earliest and the concerned litigants are relieved of the psychological burden of the litigation so as to be free to follow their ordinary pursuits and discharge their duties. And so that they can adjust their affairs on the footing that the litigation will not make demands on their time or resources, will not impede their future work, and they are free to undertake and fulfill other commitments. Such being the position in regard to matters pertaining to ordinary Civil litigation, there is greater reason for taking the same view in regard to matter pertaining to elections. So long as the sword of Damocles of the election petition remains hanging an elected member of the Legislature would not feel sufficiently free to devote his whole-hearted attention to matters of public importance which clamour for his attention in his capacity as an elected representative of the concerned constituency. The time and attention demanded by his elected office will have to be diverted to matters pertaining to the

contest of the election petition. Instead of being engaged in a campaign to relieve the distress of the people in general and of the residents of his constituency who voted him into office, and instead of resolving their problems, he would be engaged in a campaign to establish that he has in fact been duly elected. Instead of discharging his functions as the elected representative of the people, he will be engaged in a struggle to establish that he is indeed such a representative, notwithstanding the fact that he has in fact won the verdict and the confidence of the electorate at the polls. He will have not only to win the vote of the people but also to win the vote of the Court in a long drawn out litigation before he can wholeheartedly engage himself in discharging the trust reposed in him by the electorate. The pendency of the election petition would also act as a hindrance if he be entrusted with some public office in his elected capacity. He may even have occasions to deal with the representatives of foreign powers who may wonder whether he will eventually succeed and hesitate to deal with him. The fact that an election petition calling into question his election is pending may, in a given case, act as a psychological fetter and may not permit him to act with full freedom. Even if he is made of stern metal, the constraint introduced by the pendency of an election petition may have some impact on his subconscious mind without his ever being or becoming aware of it. Under the circumstances, there is greater reason why in a democratic set-up, in regard to a matter pertaining to an elected representative of the people which is likely to inhibit him in the discharge of his duties towards the Nation, the controversy is set at rest at the earliest if the facts of the case and the law so warrant. Since the Court has the power to act at the threshold the power must be exercised at the threshold itself in case the Court is satisfied that it is a fit case for the exercise of such power and that exercise of such power is warranted under the relevant provisions of law. To wind-up the dialogue, to contend that the powers to dismiss or reject an election petition or pass appropriate orders should not be exercised except at the stage of final judgment after recording the evidence even if the facts of the case warrant exercise of such powers, at the threshold, is to contend that the legislature conferred these powers without point or purpose, and we must close our mental eye to the presence of the powers which should be treated as non-existent. The Court cannot accede to such a proposition...."

The aforementioned proposition that an election petition, which does not disclose a cause of action, should be dismissed in limine, was further reiterated in *Bhagwati Prasad Dixit 'Ghorewala' vs. Rajeev Gandhi* (AIR 1986 Supreme Court 1334). The legal position, as such, is settled that an election petition is liable to be dismissed in limine at the initial stage, if it does not disclose any cause of action.

A cause of action consists of all facts, which it is essential for a petitioner to allege and to establish. In other words, the bundle of facts which taken with the law applicable to them gives the petitioner a right of some relief against the opposite party. As required under Section 83 of the Act, an election petition shall contain a concise statement of material facts on which the petitioner relies and shall set forth full particulars of any corrupt practice. All the primary facts, which must be proved at the trial to establish the existence of a cause of action are material facts. The distinction between material facts and material particulars has been highlighted by the Apex Court in number of its pronouncements, which have been cited at bar by the learned counsel for the parties and need not be mentioned here since all of them reiterate the same principles. Suffice it will be, to make reference to a few of them.

In *Samani N. Balakrishna etc. vs. George Fernandez and others etc.* (AIR 1969 Supreme Court 1201), the distinction between material facts and material particulars has been stated in the following words:

"... The section is mandatory and requires first a concise statement of material facts and then requires the fullest possible particulars. What is

the difference between material facts and particulars? The word 'material' shows that the facts necessary to formulate a complete cause of action must be stated. Omission of a single material fact leads to an incomplete cause of action and the statement of claim becomes bad. The function of particulars is to present as full a picture of the cause of action with such further information in details as to make the opposite party understand the case he will have to meet. There may be some overlapping between material facts and particulars but the two are quite distinct. Thus the material facts will mention that a statement of fact (which must be set out) was made and it must be alleged that it refers to the character and conduct of the candidate that it is false or which the returned candidate believes to be false or does not believe to be true and that it is calculated to prejudice the chances of the petitioner. In the particular the name of the person making the statement, with the date, time and place will be mentioned. The material facts thus will show the ground of corrupt practice and the complete cause of action and the particulars will give the necessary information to present a full picture of the cause of action. In stating the material facts it will not do merely to quote the words of the section because then the efficacy of the words 'material facts' will be lost. The fact which constitutes the corrupt practice must be stated and the fact must be correlated to one of the heads of corrupt practice. Just as a plaintiff without disclosing a proper cause of action cannot be said to be a good plaintiff, so also an election petition without the material facts relating to a corrupt practice is no election petition at all. A petition which merely cites the sections cannot be said to disclose a cause of action where the allegation is the making of a false statement. That statement must appear and the particulars must be full as to the person making the statement and the necessary information. Formerly the petition used to be in two parts. The material facts had to be included in the petition and the particulars in a schedule. It is inconceivable that a petition could be filed without the material facts and the schedule by merely citing the corrupt practice from the statute. Indeed the penalty of dismissal summarily was enforced for petitions which did not comply with the requirement. Today the particulars need not be separately included in a schedule but the distinction remains. The entire and complete cause of action must be in the petition in the shape of material facts, the particulars being the further information to complete the picture. This distinction is brought out by the provisions of Section 86 although the penalty of dismissal is taken away. . . ."

In Azhar Hussain's case (supra), the Court held that the material facts are those facts, which if established would give the petitioner the relief asked for. The test required to be answered is whether the Court could have given a direct verdict in favour of the election petition in case the returned candidate had not appeared to oppose the election petition on the basis of the facts pleaded in the election petition. In Udhav Singh's case (supra), the material facts were held to be all the primary facts, which must be proved at the trial by a party to establish the existence of a cause of action or his defence and in the context of a charge of corrupt practice, the same were held to mean all the basic facts constituting the ingredients of the particular corrupt practice alleged, which the petitioner is bound to substantiate before he can succeed on that charge. It was held that whether a particular fact is material or not and as such required to be pleaded is a question which depends on the nature of the charge levelled, the ground relied upon and the special circumstances of the case. In other words it was held that all those facts which are essential to cloth the petition with a complete cause of action are material facts, which must be pleaded and a failure to plead even a single material fact amounts to disobedience of the mandate of Section 83(1)(a).

Particulars, on the other hand, were held to be the details of the case set up by the party and consequently material particulars would, therefore, mean all the details which are necessary to amplify, refine and embellish the material facts already pleaded in the petition. Particulars were held to serve the purpose of finishing touches in the basic contours of a picture already drawn to make it full more detailed and more informative."

Having noticed the settled position as regards the contents of the expression 'material facts', it is necessary now to examine the various allegations made in the election petition in order to find out as to whether the same give rise to triable issues. In other words, it would be necessary to see that whether on the allegations made in the petition, without considering the stand taken by the respondent and without any further evidence, can a verdict be recorded in favour of the petitioner.

Allegations of non-compliance with the provisions of the Act and the Rules

It has been alleged in para 11 of the petition that the names of the candidates and their symbols were got printed in disregard to the instructions with a motive to get the name of the returned candidate printed at some conspicuous place by changing the alphabetic order and by getting the name of the returned candidate printed at top of the ballot paper. As a consequence, the result of the returned candidate was materially affected. This allegation on the face of it cannot be said to be disclosing any cause of action so as to result in a triable issue, since it lacks material particulars.

Section 33 of the Act, which is the substantive provision deals with the preparation and publication of lists of contesting candidates in such form and manner as may be prescribed and sub-section (2) thereof says that the said list shall contain the names in alphabetical order. Rules 22 and 30 of the Rules relate to the form of ballot paper. Rule 22 pertains to postal ballot paper and Rule 30 to every other ballot paper. These rules envisage the arrangement of the names of the candidate on the ballot paper in the same order in which they appear in the list of contesting candidates. List of contesting candidates is required to be prepared under Rule 10, which says that such list shall contain the particulars set out in forms 7-A and 7-B and be prepared in such language or languages as the Election Commission may direct. Sub-rule (3) provides the arrangement of the names alphabetically and if the list is in more languages, then one, according to the script of one of those languages, as the Election Commission may direct.

Now the allegations do not give all material facts. It is not disclosed as to at what serial number, the name of the returned candidate ought to have been printed or whether there was any change in the alphabetical order, vis-a-vis the list of contesting candidate, which had been prepared and printed as per the provision of Section 38 read with Rule 10 thereof. It was necessary for the petitioner to have alleged, as a part of material fact that the names of the candidates in the ballot papers were not arranged in the same order, in which they appeared in the list of contesting candidates. The allegations in para 11 thus being absolutely vague, lacking all necessary material facts cannot be said to be at all of a nature which would result in taking the petition to trial and the pleadings deserves to be struck off.

Non-compliance of Rule 13

In para 14, it is alleged that the result of the election, in so far as it concerns the returned candidate, has materially been affected by non-compliance of the provisions of Rule 13 of the Rules inasmuch as the Presiding Officers of all polling booths admitted several unauthorised persons as polling agents of the returned candidate. The election at such polling places was influenced by the non-observance of the Rules, which had the impact on the mind of the electors that the returned candidate is so powerful that any of his men had free access to the polling booths. The Presiding Officers also appeared to be siding with the returned candidate.

On the face of it, the allegations also are as vague as they could be. The same do not contain essential and

material facts, such as the names and numbers of the persons alleged to have been allowed admission, name of the polling booths where the alleged persons were permitted access. The allegation appears to be with respect to all polling booths. With these vague allegations, an election petition cannot be permitted to be set down for trial since it might give ample opportunity to the petitioner to fill in the lacuna and create evidence at his own sweet will. In order to make out a triable issue, the petitioner was required to give a concise statement of material facts, the name of particular booth, name of the person allowed entry and the fact whether such persons had been or not been appointed as polling agents under Section 46 of the Act read with Rule 13. Para 14 of the petition, as such, has to be struck off as disclosing no cause of action.

Commission of corrupt practices

The rest of the petition, except allegations in para 10, is based upon the allegations of commission of corrupt practices either by the returned candidate or his election agent or by other persons with the consent of returned candidate or his election agent. The same are under various heads which may be dealt with separately.

Bribery

Bribery, so as to constitute the corrupt practice for the purposes of this Act has been defined in Section 123(1) of the Act as any gift, offer or promise by the candidate or his agent or by any other person with the consent of a candidate or election agent. This gift, offer or promise has to be of any gratification to an elector with the object directly of inducing that elector to vote or refrain from voting or as a reward to an elector of having voted or refrained from voting. In order to complete the offence of bribery as corrupt practice the receipt or agreement to receive any gratification, whether as a motive or reward by any person whatsoever, for himself or any of the person for voting or refraining from voting for inducing or attempting to induce any elector to vote or refrain from voting.

Pleading of all material facts so as to give a complete picture of the charge of corrupt practices of bribery is necessary, in the absence of which the pleading to that effect is liable to be struck off under Order 6 Rule 16 of the Code. It is not sufficient to merely reproduce the wordings of the definition of bribery, but it is essential that concise statement of material facts is given in such a manner so as to enable the party charged to have a clear idea of what is alleged against him and what case he has to make out. The petitioner is also required to set forth the particulars of corrupt practice including as full a statement as possible of the names of the parties as alleged to have committed such corrupt practice and the date and place of commission of such corrupt practice.

The pleadings in this regard and various allegations of bribery as corrupt practice have been enumerated in paras 15(i) to (viii), (xii), (xliii), para 22 (c), (d), (e) & (f). Each of such allegations alleged will have to be dealt with separately with precise lacuna as pointed out and its effect.

In para 15(i), it is alleged that the returned candidate on 12th May, 1991 at about 8.00 PM in the meeting of workers at Hamirpur gave instructions that funds are to be distributed to children of Antodya families and grants are to be made to Mahila Mandals in the constituency and then by directly or indirectly inducing the parents of those children and members of Mahila Mandals to vote for him. It is alleged that the workers of the returned candidate assured the voters of the Antodya families and members of Mahila Mandals that in case they vote and support the returned candidate, funds shall be distributed to them and on their promise to vote and support the returned candidate funds were distributed to them.

These allegations of the alleged assurance to the voters is by the workers of the returned candidate and not an assurance directly alleged to have been held out by the candidate. In such an eventuality the necessary and important link which is missing is about the 'consent' of the returned candidate. Besides this, the names of the workers alleged to have given assurance, the names of voters of

the Antodya families and members of Mahila Mandals to whom the alleged assurance was held out, the facts of funds distributed etc. are all missing. In the absence of these facts, which are material, the allegations are not proper for making a charge of corrupt practice.

In three different sub-paras of para 15, the allegations of bribe by getting provided water taps as gratifications have been made, which may be dealt with together.

The allegations made out in sub-para (ii) of para 15 are that in a meeting held in village Bhanjal on 15th May, 1991 at 7.00 PM the returned candidate openly held out to the electors that in case they promise to vote for him he shall see that water taps are fitted in their houses before the actual date of poll. The electors present in the meeting assured the returned candidate that in case taps are provided and fitted in their houses before the date of poll, entire electors of that village shall vote for him. Since the State was ruled by the Bhartiya Janta Party to which party the returned candidate belong, taps were got fitted by him in the village before the date of poll in pursuance to his promise given to the electors.

The allegation of corrupt practice of bribery made in para 15(vii) is that on 23rd April, 1991, the returned candidate promised one Bakshi Ram of village Chhat in Tehsil Ghumarwin of providing water tap in return for his support during the election by casting his vote and for propagating for his election campaign. On an assurance given by Bakshi Ram, the returned candidate ordered the concerned authorities and got provided water tap on out of turn basis and the said Bakshi Ram actually canvassed for the returned candidate.

It is alleged in para 15(viii) that on 6th May, 1991, during the visit of respondent No. 1 to Bilaspur District, the residents of Ghagas met him and requested for immediate installation of public and private water taps in the village. The request was made by Durga Ram on behalf of those persons, who assured that he would vote and support the returned candidate and on this assurance, the returned candidate got the public tap shifted for the convenience of Durga Ram and other residents of the village. In the last week of April, 1991, the returned candidate also visited Geharwin area and canvassed for votes. It was promised that their demands for a public tap would be granted on their support to him in the election. Lekh Ram Verma, Advocate, of the area approached the returned candidate for this purpose and he readily agreed. Consequently, the tap was installed near Sitla Mata Mandir on 2nd May, 1991. Similar promise in turn for support to the returned candidate was given by Bhagat Ram, Up-pradhan, which was also fulfilled and private water tap was installed.

It is not stated that water taps were provided by the returned candidate. The statement in these sub-paras is to the effect that the returned candidate got provided the taps. Whether it was through the Government machinery or otherwise is not stated. In case, it was Government machinery then how the returned candidate got pushed the cases of villagers in getting provided the water taps is not stated. Keeping aside the objection of the learned counsel for the respondents about the names of persons deployed in getting the work executed, time and place or other such facts which might come within the ambit of particulars and not material facts, it can be noticed that material facts are not stated. There is total lack of averment as regard the alleged acts/assurances etc., as to whether the same was with the object of directly or indirectly inducing the electors to vote.

In para 15(iii), it is alleged that about 60 to 70 electors were present in Ghanari village in Gagret Assembly segment of the constituency on 13th May, 1991 at 9.00 PM when the returned candidate in a meeting promised the electors that a case they vote for him he shall get sanctioned for their village road as well as for sinking rig an amount of Rs. 15,000 to Rs. 20,000. The electors promised to vote for the returned candidate in lieu of this assurance and consequent upon the promise of the returned candidate and the assurance given by the electors, the work of fitting the rig and construction of road was got started by the returned candidate through the Government headed by Bhartiya Janta Party. The objection to these allegations is that the same do not constitute any corrupt practice, since the names of the electors alleged to have accepted the alleged offer are not

the electors alleged to have accepted the alleged offer are not stated, nor it is stated that the work of digging of the rig and construction of road was done with the consent of the returned candidate. Name of the persons executing the work is also not disclosed. Time and period of commencement of the work is also not disclosed.

The allegation in para 15(iv) is that 40 persons attended a meeting at Bilaspur on 6th May, 1991 at 7.30 PM addressed by the returned candidate. Old age pension to the beneficiaries in advance was assured to be got paid in case the electors were to vote for him. The persons including old age pensioners present in the meeting are alleged to have assured that in case old age pension is paid to the pensioners in advance they shall vote for him. Pursuant to the promise, old age pension in advance was got paid by the Government run by Bhartiya Janta Party, otherwise, earlier old age pension used to be distributed years after it fell due. Besides, usual objection about the identity of the old age pensioners, the amount of pension, date of release etc., it is contended that even assuming the charge to be correct, meeting the genuine grievance of the public does not amount to corrupt practice.

In para 15(v), it is alleged that a deputation of voluntary teachers working in Hamirpur and Una Districts including three persons named therein met the returned candidate, who was then a member of the out-going 9th Lok Sabha at 6.30 PM on 22nd April, 1991 at Hamirpur for putting forward their demands. During discussion, the returned candidate promised the deputationists that in case they support and give a call to the members to support the Bhartiya Janta Party he would see that their demands, especially to increase the emoluments are accepted by the State Government. Consequent to the promise by the returned candidate and assurance by the deputationists, the demands were got accepted by the returned candidate from the State Government and in return General Secretary of the Voluntary Teachers Association issued a press statement that their Association will support the Bhartiya Janta Party. It is alleged that the press statement was published in different Newspapers including Indian Express, Chandigarh Edition dated 12th May, 1991. Member of the Voluntary Teachers Association voted for the returned candidate. Statement as regards material facts which is lacking is the exact place and time of the alleged meeting, nature of demands of the Association, whether or not the voluntary teachers were electors. It is contended that even assuming the averments to be correct, redressal of the genuine grievances of a section of Society cannot amount to corrupt practice.

Further allegation made in para 15(vi) is that a deputation of about 10-15 persons met the returned candidate on 5th May, 1991 with a demand for making straight the motorable road leading from their village by diverting it from a curve. The returned candidate promised to have the needful done from Public Works and Transport Minister Shri Jagdev Chand provided the deputationists assure that they and other voters of the village will cast their votes in his favour in the ensuing Lok Sabha polls to which the deputationists agreed and assured that they shall vote for him and also secure votes of other electors. Consequent upon this, the returned candidate led the deputationists to the Transport Minister, who again, on the assurance of the deputationists to cast their votes in favour of the returned candidate and also to persuade other electors to vote in his favour and with the consent of the returned candidate agreed to meet their demand and actually got it redressed before the polls. The contention is that the material facts, such as date, time and place at which the returned candidate is alleged to have led the deputationists to the Transport Minister or time and place and where the deputationists met him as also the names of the deputationists or the person, who are alleged to have assured for procuring votes are lacking. It is further contended that assuming the averments to be correct, meeting the genuine demands of public will not amount to corrupt practice.

It is alleged in para 15(xii) that one Harish Chander of village Dhaner approached the returned candidate on 23rd April, 1991 for the speedy construction of road. The returned candidate asked to vote for him and also canvass for vote in his favour. The said Harish Chander promised to do so. 18 gangs of labourers consisting of 200 persons were got employed to construct 1.5 Km. stretch of road within a

week, which was got done by the returned candidate, through the Government solely with an object that the road is completed before the actual date of poll. The road was inaugurated by the Deputy Speaker in the presence of the returned candidate, who appealed to the voters for ensuring success. The villagers promised to vote for him and actually voted for him for his having completed the road.

It is not stated that whether the Deputy Speaker appealed to the voters with consent of the candidate. Whether the assurance for the construction of road was with the object of directly or indirectly to induce voters to vote for the candidate. In what manner it is a gratification to Harish Chander is not stated. All these statements are part of material facts.

It is alleged in para 15(xiii) that at the intervention of the returned candidate through the Bhartiya Janta Party Government prospectus in election were enhanced by the announcements by the Government for upgradation of Government Middle School, Selassi (Jhaniari) to a High School. The returned candidate had promised to get this done in exchange of votes. The guardians of the children were encouraged to get the school leaving certificates and enrol in 9th class in 2nd and 3rd week of May, 1991. Although the school has not yet been upgraded. Thus, the returned candidate induced the voters of the area to vote for him. It is contended that the allegations are lacking. There is no averment as regards element of bargain. Who was approached or promised and with whom the bargain was struck and also the nature of the bargain. In any case, allegations as made are nothing but a pointer on the eve of election for getting the grievances of the general public redressed. In the absence of any pleadings that the returned candidate abused his power or position by utilising public revenue for conferring advantage or benefit on a particular group of people, the allegations, as made, do not amount to corrupt practice, since the instances quoted are the fulfilment of the grievances of the public.

It is alleged in para 22(c) that the returned candidate, through his election agents, agents and other persons, with his consent, including R. R. Kaundal, Deputy Speaker of the Vidhan Sabha, on 8th May, 1991, at village Illewal in District Bilaspur offered allurement to the voters of this and the adjoining village Tarsuh, especially the Mahila voters, for voting in favour of the returned candidate and an amount of Rs. 40,000 was announced as sanctioned for Mahila Mandal Bhawan of the area. It is further alleged that Husan Chand, Smt. Bhagwani, Abdul Karim and Gala Ram of these villages, were the victims of this corrupt practice. The precise objection raised by Shri Jain is that there is no statement of fact made in this para as to who announced and sanctioned the amount of Rs. 40,000. It is also not stated that the announcement and sanction of the amount was with the consent of the returned candidate. There is also no statement as regards the precise corrupt practice relating to the persons mentioned in this para namely, Husan Chand, Bhagwani, Abdul Karim and Gala Ram. It is not ascertainable from the allegations as to whether the alleged allurement was by the election agent or by any other person with the consent of the returned candidate. In case, it is by any other person the name is not mentioned except that of R. R. Kaundal. In case the allegations are taken as an allurement on the part of R. K. Kaundal, with the consent of the candidate, it is not stated as to what was the alleged allurement.

The material facts, which on the face of it are absolutely lacking, are the consent of returned candidate, as regards the announcement and sanctioning of the amount for Mahila Mandal, who gave allurement and who sanctioned the amount. Statements of fact as regard the element of bargain are also missing.

In para 22(d), it is stated that the returned candidate presided over a Bee Keeping Training Camp inaugurated by Deputy Speaker R. R. Kaundal on 10th May, 1991 at village Berthin. A stipend of Rs. 200 per trainee and a loan of Rs. 4,000 each at concessional rate of 4 per cent per annum was announced by the returned candidate. It was proclaimed on the occasion that the camp was specially held in the area since it was a strong hold of Bhartiya Janta Party and he wanted this to be proved again by the voters of the

area by voting for him. The further declaration made was that the voters would also get benefit in future with similar facilities and development works. It is alleged that Smt. Rup Rani and Kishori Lal of village Berthin and the other neighbouring villages and other were the subject of this corrupt practice. The statements in this para lacking material facts, as contended by Mr. Jain, are the element of bargain.

More announcement of providing stipends and loan, without further stating, as a part of material fact, that the same was with the object of directly or indirectly inducing the voters to vote or refrain from voting at the election or the further allegation that the same was as a reward will not be sufficient to bring the allegations within the definition of bribery. What type of gift, offer or promise was made to the two persons, namely, Roop Rani and Kishori Lal or what was the exact bargain struck is not disclosed.

Para 22(e) alleges that the returned candidate and the Public Works and Transport Minister Mr. Jagdev Chand on 5th/6th May, 1991, held a meeting at village Bhumpal, in which the returned candidate declared that three kilometres stretch of link road between Bhumpal and Machhwan would be constructed speedily by the Public Works Department, if the voters of the area would vote for the returned candidate, to which the people agreed. The returned candidate further announced that the State Government would provide funds immediately and the road would be completed shortly. Ishwar Dass, Chint Ram and Jagdamba alongwith others were made subjects of this corrupt practice. It is contended that the allegations are deficient in material facts since it is not at all pleaded that the alleged promise was made with the object directly or indirectly inducing the electors to vote or refrain from voting or that it was a reward to the electors for having voted or refrained from voting. In the absence of allegations of inducement, the link is not complete and the allegations cannot be made a triable issue in an Election Petition.

The last of the allegations in the series of allegations pertaining to bribery as corrupt practice is in para 22(f) that the weaker sections and members of Antodya families in Gram Panchayat, Morsinghi and neighbouring villages of Ghumarwin were assured by the returned candidate during his visit to that area on 1st May, 1991 that the children of Antodya families would be paid stipend before the date of poll if they assure to vote for him. Some voters were pleased to do so. Consequently, 5 children of Gram Panchayat, Sohar, were distributed Rs. 50 each on 5th May, 1991. Three other students of class 10th of Government Senior Secondary School, Ghumarwin were also allowed stipend of Rs. 150 each. The submission made on behalf of the respondent is that there is absolutely no allegation that the alleged promise of providing stipend was with the object of directly or indirectly inducing the voters to vote or refrain from voting. In case any promise was made, names of persons to whom such promise was made or held out, the names of such voters, who accepted the alleged promise are not at all disclosed. Who distributed the stipend, whether it was the returned candidate or it was any other person or it was paid from any other source.

Having narrated, what has been contended by the learned counsel for the parties, about the statements made in the petition about the allegations of the corrupt practices alleged of the bribery, it has to be seen whether any or some of such allegations do contain all essential ingredients of bribery and all material facts on which the petitioner relies or in other words whether the facts stated amount to making allegations of corrupt practice giving rise to triable issues.

As has been noticed above, that whether a particular fact is a material fact or not and as such is required to be pleaded is a question which depends on the nature of the charge levelled, the ground relied upon and the special circumstance of the case. Some of the judgments relied upon by the learned counsel for the parties pertaining to the corrupt practice of bribery deserves to be noticed at this stage out before doing so, the well recognised principle which has to be kept in mind is that a candidate is entitled to canvass for votes. One who is in the field as a candidate is also entitled to nourish his constituency during election campaign. But election is something which must be conducted

fairly. To arrange to spend money on the eve of election, although for general good, is when all is said and done an evil practice, even if it may not be a corrupt practice. The dividing line between the evil practice and corrupt practice is a very thin one. Emphasis has been laid by the Supreme Court in a number of its judgments that it should be understood that energy to do public good should be used not on the eve of election but much earlier, since slight evidence might change the said evil practice into a corrupt practice. Since election disputes are not cases at common law or equity but are strict statutory proceedings and the result of an election is not available to be interfered with lightly it is a sound principle of natural justice that the success of a candidate who has won at an election should not be lightly interfered with any such petition seeking such interference must strictly comply with the requirements of law.

In Ghasi Ram vs. Dal Singh and others (AIR 1968 Supreme Court 1191), the Supreme Court took notice of the fact that with an election in the near future, the political party had to do acts of public nature. Discretionary grants made and money distributed from out of the discretionary funds by the Ministers amongst the voters generally to be used for the good of those for and those against the candidate were held having the effect of no doubt pushing forward the claim of a candidate but that was inevitable. Such distribution of grants was held not amounting to corrupt practice, in the absence of any clear allegation that there was any element of bargaining directly or indirectly with the voters. The principles laid down in this judgment were later followed and applied in Mrs. Om Prakash Jain vs. Abnash Chand and another (AIR 1968 Supreme Court 1083), where it was held that a Minister in the discharge of his duties, may be required to do certain acts of administration including the granting of money for the upliftment of certain community but this act of Minister cannot be construed against him unless it is shown that there was bargain with the voters for getting their assistance in the election.

In H. V. Kamath vs. C. H. Nitraj Singh (AIR 1970 Supreme Court 211), announcement at an election meeting of party nominee of granting certain exemptions to the agriculturists and increasing Dearness Allowance to Class-III and Class-IV employees by the Chief Minister who happened to be belonging to the same party to which the candidate belonged and the allegation that such announcements were made by the Chief Minister, with the consent of returned candidates were held not amounting to any corrupt practice within the ambit of Section 123(1)(A) of the Act.

Relying upon the earlier two judgments in Ghasi Ram's and Om Prabha Jain's cases (supra), the Supreme Court in Dev Raj Anand vs. Bhagwandass and another (AIR 1971 Supreme Court 241), held that the gist of corrupt practice of bribery lay in attempting to do something for those opposed to the candidate with a view to changing their votes and as a bargain for votes.

Rendering of public or social service by the Ministers on the eve of election by redressing grievances of public in relation to construction of roads or installation of water taps or closing of insanitary drains, or pits, should not be interpreted either gift or offer or promise of gratification. This was the view expressed by the Supreme Court in Bhanu Kuma Shastri vs. Mohan Lal Sukhadia and others (AIR 1971 Supreme Court 2025) and for holding so, reliance was placed in Ghasi Ram's and Om Prabha Jain's cases (supra). It was further held that the allegation of corrupt practice is a charge of criminal nature. Provisions in the Act are intended to preserve the purity of election, but at the same time these provisions should not be subverted for the impure purposes of malting candidate who happen to be in the Government on the eve of election. The normal bonafide acts of persons who happen to be Ministers have to be kept separate from abuse of the opportunities of power and resources which are not available to their opponents. It was further pointed out that ordinarily amelioration of the grievances of the public appears to be innocuous. The genuine and bonafide aims and aspirations of candidates had to be protected on the one hand and malafide abuse and arrogance of power will have to be censured on the other.

Whether tall promises made on the eve of election by a party in power with a view to help people would fall within the ambit of bribery or gratification came up for consideration before the Supreme Court in *Iqbal Singh vs. Gurdas Singh and others* (AIR 1976 Supreme Court 27). Grants were made for construction of Dharamshalas for Harijans and promise was also made to issue gun licences by addressing public meetings impressing upon the voters that if they would vote in favour of the candidate, such licences would be granted. The Court held that such grants made for construction of Dharamshalas and promise for issuing gun licences would not fall within the ambit of bribery and gratification. In para 10 of the report, it was held that:

"....The anxiety to spend the money towards the end of the financial year is also natural. If the end of the financial year also happens to be the period when an election is going on parties in power naturally bear this to show that they are active in trying to show that they are out to help the people. They address meetings and hold out all sorts of promises. Where a large section of the people are concerned, who only get an amenity which they ought in any case to get and which they get probably a little more easily because it happens to be election time, it cannot be said that the person in authority making that promise and holding out that he would carry out many remedial measures to benefit the people was resorting to bribery or bargaining for votes. It may not amount to setting up a very high standard and it may be very desirable that whatever is done for the people should be done by persons in authority throughout the period of their office. But they naturally are more active at election time than other times. That cannot be said to amount to corruption."

Applying the ratio in *Om Prabha Jain's case* (supra), the Court further held in para 14 of the report:

"....ordinarily amelioration of grievances of the public is innocuous and cannot be construed against a candidate who is a Minister but that if there is evidence to indicate that any candidate at the election abused his power and position as a Minister in the Government by utilising public revenues for conferring advantage or benefit on a particular group of people for the purpose of obtaining their votes, different considerations will arise and it may be held to be a corrupt practice within the meaning of Section 123(1). In that case it was held that in all the instances relied upon by the appellant the evidence showed that there were long standing public grievances and the Government had from time to time made suggestions and recommendations for redress of the grievances and amelioration of the condition of the people and that it could not be said that on the eve of election there was any sudden or spontaneous outburst of public activity in the shape of diverting money to win electors to the side of the Chief Minister by throwing baits or giving them any particular and specially favoured treatment. These observations apply to the case of grants for Harijan Dharamshalas."

In *Surinder Singh vs. Hardial Singh and others* (AIR 1985 Supreme Court 89), in which case a voter was found to have applied to the State Electricity Board for removal of electric wires overhanging first floor of his house and the application and demand against him to deposit a sum of Rs. 1000 with the Board were pending since long. Grievance was made by him of the overhanging wires to the contesting candidate. By exercising his influence by the candidate, the wires were got removed immediately. The required deposit was also held to have been made in the name of voter. The Court held that even if allegations made and evidence adduced were accepted as such, the same would not be sufficient to establish the charge of corrupt practice that the candidate took up the cause of the voter for early shifting of the overhanging electric wire. The Court placed reliance upon *Bhanu Kumar Shastri's case* (supra) and expanded the principle further by holding that a candidate is entitled to canvass for votes. One who is in the field to be an electorals' representative is also entitled to nourish his constituency. Amelioration of grievances of the public is innocuous and cannot be construed against a candidate. While nourishing is a legitimate activity, the Court cautioned that it is of paramount importance

that nourishing should not transgress the limit so as to corrupt the electoral process. The appellant in that case was held to be already in the field as a candidate for the legislature and as such was entitled to help the people of his constituency in a legitimate way. The Court found that the evidence on record was not sufficient that the candidate had deposited the demand raised by the Electricity Board against the voter. As such, taking up of the cause of voter for early shifting of electric wire overhanging the first floor by exercising his influence over the Board would not amount to bribe.

In *Dhartipakar Madan Lal Agarwal vs. Shri Rajiv Gandhi* (AIR 1987 Supreme Court 1577), the allegations made were that the respondent-candidate and his mother Smt. Indira Gandhi on their workers with the consent of both made promises through Newspapers, pamphlets etc. that voters should cast their votes in favour of the respondent for the development of constituency because his victory will ensure progress and development. On account of the speeches voters could not cast their votes impartially, instead they cast their votes in favour of Rajiv Gandhi and when both the candidate and his mother attended the meetings together, an impression was gathered that since Smt. Indira Gandhi was the Prime Minister, and her son was a candidate, there was bound to be progress in Amethi. These allegations were held only representations and no more. In the absence of any allegation of any element of bargaining in making appeal to voters with the object of directly or indirectly inducing the voters such declaration of public policy or a promise of a public action was held as not making proper allegation of corrupt practice of bargain. Relying upon the ratio in *H. V. Kamath's case* (supra), the Court held that:

"....A general promise made by the Prime Minister or Minister to redress public grievance or to provide for public amenities for developing the constituency if elected, does not amount to corrupt practice...."

In *B. Rajgopala Rao and another vs. Appayya Dora Hanumanth and others* (AIR 1990 Supreme Court 1889), speeches and advertisements made offering for the sale of dhoties and sarees at discount rates was held to be in the nature of a benefit offered to poor persons in the State. Announcement of such measures, which are intended for the benefit of any of the classes for whose amelioration the Government can normally be expected to work like the poor or the economically backward classes. These allegations, though were held bound to have financial repercussions but by no stretch of imagination amounting to making allegations of corrupt practice or bribery. In holding so the Court placed reliance upon its earlier decisions noticed above.

Similar proposition was laid and applied in a recent judgment by the Supreme Court in *Laxmi Narayan Nayak vs. Ramrao Chaturvedi and others* (AIR 1991 Supreme Court 2001), after following the ratio in *Iqbal Singh's case* (supra). It was held that giving of any gratification with the object of inducing the receiver or any other person to vote is an offence while acceptance of gratification by a person either for himself or for any other person or for inducing of any other to vote is an offence. In other words, giving is an offence, if paid to the voter or such giving induces another person to vote. It is not giving a gratification in order that he may induce another person to vote that is an offence, whereas a receipt of a gratification in order to induce another person to vote is an offence.

Applying the ratio of the aforementioned cases to the pleadings of this case, it can be noticed that the allegations made are of a general nature alleging that the petitioner either himself or through his election agent or through other persons in his speeches promised to have the grievances of the constituents redressed by getting the water taps got fitted, having the work of sinking of rig completed, got the loans sanctioned, got the old age pension paid, got speeded up the construction of roads, got declared the upgradation of Schools, got the demands of voluntary teachers as regards increase in emoluments accepted, got sanctioned amount of Rs. 40,000 for construction of Mahila Mandal Bhawan, got sanctioned stipend and loans etc. Such redressal of grievances on the touch-stone of ratio in aforementioned judgments, particularly that of *Surinder Singh's case* (supra) in itself, would not amount to bribe since respondent, a candidate is entitled to canvass for votes. He being in the field was also entitled to nourish his constituency. Amelioration of grievances of the public is innocuous and cannot be construed against the candidate. There is no allegation made in the entire petition

that election process was made corrupt by illegitimate means. Nourishing is a legitimate activity. Helping the constituent in a legitimate way is not prohibited. It is nowhere alleged in the petition that the petitioner himself paid any amount or himself offered any gratification. In case long standing demands of the members of public were already pending as regards of fitting of water taps, sinking of rig, sanctioning of loans, payment of arrears of old age pension, increase in emoluments of voluntary teachers, construction of roads etc., any held rendered by getting those grievances met would not amount to bribery. Addressing meetings and holding out all sort of promises, where a large section of public is concerned, to get the amenities provided or getting expedited the work of completion of such works, which they ought in any case would get, which they got probably, a little more easy and early because it happened to be in an election time, it cannot be said that the person in authority making a promise and holding that he would carry out remedy and measure to benefit the public was resorting to bribery or bargaining for votes.

Without considering the other objections raised on behalf of respondent No. 1, such as non-mentioning of exact time, place, names of persons, the manner of holding out promises, at whose instance, whether with the object directly or indirectly inducing an elector to vote, the names of persons who in turn accepted the alleged promises, it can be said that allegations as a whole in each of the aforementioned sub-paras do not set out essential material facts which it was necessary for the petitioner to allege. In the absence of stating the material facts with clarity and without giving a clear picture of the charges alleged and making half-hearted attempt with a view to make out a fishing or roving enquiry, it cannot be said that the aforementioned allegations in the petition can be set down for hearing on merits. No corrupt practice can be inferred from reading one sentence here and other sentence there. Each instance in itself, making out a charge of corrupt practice must make out statement of material facts. Words can neither be imported nor implied to search out or infer the intention of the petitioner. As such on reading these portions of petition, allegations made, as such on the face of it, do not disclose any triable cause of action.

UNDUE INFLUENCE :

The allegations made in the petition seeking to set aside the election on the ground of the corrupt practice of undue influence are to be found in paras 16(i), (ii), (iii) & (iv) and are to the following effect :

Accompanied with Jagdev Chand, Public Works Minister, Babu Nandu Ram and Tota Ram of village Dangar, the returned candidate visited the Harijans colony on 16th May, 1991 at 7.30 P.M. Jagdev Chand in the presence of a returned candidate threatened the electors of the Harijan locality that in case they did not vote for the returned candidate, they will have to face dire consequences and also threatened that their entire locality shall be burnt and they shall not be allowed to live in the area. This happened in the presence of and with the consent of returned candidate.

In presence of and with the consent of returned candidate, R. R. Kaundal, Deputy Speaker of Vidhan Sabha and also representing Ghumarwin constituency, during elections in May, 1991 in village Jhabola thrice threatened the voters that in case the voters did not cast their votes in favour of the returned candidate, no development works shall be undertaken nor any attempt to redress their grievances shall be made.

During the last week of April, 1991, R. R. Kaundal, Deputy Speaker with consent and in presence of the returned candidate pressed upon Nikki Devi of village Gharan to cast her vote in favour of returned candidate and also to work for him. Nikki Devi refused to do so. R. R. Kaundal threatened Nikki Devi of dire consequences, and as a result thereof and to take a revenge he entered into litigation with Nikki Devi.

Workers of Bhartiya Janta Party alongwith the election agent of returned candidate and Kashmiri Lal Joshi, sitting M.L.A. of Bhartiya Janta Party from Santokhgarh Assembly Segment in village Polian Beet instigated and indulged in stone hurling on Harijan voters who had gone to Polian Beet Polling Station to cast their votes. In this incident, Smt. Rani, Harijan woman was seriously injured. This act terrorised the electors.

In the background of these allegations made in the petition, it has to be seen as to whether proper averments have been made and requirements of law met.

Undue influence in order to constitute a corrupt practice, requires to be pleaded as essential facts of direct or indirect interference or attempt to interfere with the free exercise of electors rights on the part of candidate, his election agent or any other person with the consent of candidate or his election agent. Threatening any candidate or elector or any other person in whom a candidate or elector is interested with injury of any kind or inducing at or attempting to induce a candidate or elector that he or any other person in whom he is interested will become or will be rendered an object of divine displeasure or spiritual censure will be deemed to interfere with the free exercise of electoral rights. Details and nature of undue influence or direct or indirect interference are required to be pleaded in order to complete the allegation of this charge. Ingredients of the two are different, they are required to be pleaded specifically. Details are also required to be furnished separately to give a complete picture of the cause of action.

In the four sub-paras aforementioned, no doubt allegations are there that in three cases the returned candidate was present when Jagdev Chand and R. R. Kaundal are alleged to have given the threats. But whether the actual holding out of threats, which amounts to interference with the free exercise of any electoral rights on the part of Jagdev Chand and R. R. Kaundal was with the consent of the returned candidate is not at all pleaded. What was the consent or its nature is not pleaded. In the first case, to whom the threat was held out, his name is not shown. In the absence of the name of the person on whom the alleged undue influence is alleged to have been exercised, no proper averment can be said to have been made. In sub-paras (ii) and (iii) whether the actual threat was with the consent of returned candidate is not alleged. In the case of Nikki Devi, the further allegation that on her refusal, she was threatened with dire consequences is not qualified with further allegations of the returned candidate's consent. Similarly, the consent on the part of the returned candidate or election agent about the hurling of stones is completely missing.

In Baburao Patel and others vs. Dr. Zakir Hussain and others (AIR 1968 Supreme Court 904), it has been held that the definition of undue influence in the Act is more or less in the same language as in Section 171-C of the Indian Penal Code except for the addition of the words 'direct or indirect' in the Act to indicate the nature of interference.

In order that a pleading may be sufficient to make out a case of undue influence, it must set out full particulars of it under the provisions of Section 83(1)(c) of the Act, which provision is comparable with order VI Rule 4 of the Code.

In Dr. Lakhi Prasad Agarwal vs. Nathmal Dokania (AIR 1969 Supreme Court 583), it was held that Section 83(1)(c) read with Order VI Rule 4 of the Code and Section 123(2) of the Act makes it obligatory on a party setting up a case of corrupt practice by exercise of undue influence, as suggested, to give full particulars thereof by stating inter alia who attempted to induce electors, in what manner, such attempt was made, who was induced or whether such inducement was with the consent of the candidate.

In Lalit Kishore Chaturvedi vs. Jagdish Prasad Thada and others (AIR 1990 Supreme Court 1731), it was held that undue influence is an inference which arises on facts pleaded. Mere averments that undue influence was exercised in the absence of precise facts, namely, the nature of such influence, the persons on whom it was exercised, the time and place of it, the pleadings fell short of requirement of law, such allegations were held to be mere fishing and roving and not being sufficient compliance of Section 83(1)(c) of the Act. Viewing in the light of the aforementioned observations in Babu Rao Patel, Lakhi Prasad Agarwal and Lalit Kishore Chaturvedi's cases (supra), there is no manner of doubt that the pleadings in para 16(i) to (iv) fall short of the requirement of law and do not make out a complete charge of corrupt practice by exercise of undue influence.

Hiring or procuring of vehicles for the free conveyance of Voters :

The necessary ingredients which are required to make out a complete charge of corrupt practice u/s 123(3) of the Act are :—

1. Hiring or procuring of a vehicle by a candidate or his agent or by any other person with his consent;
2. Hiring or procuring of the vehicle must be for conveyance of the voters to and from the polling station; and that the
3. Conveyance of an elector is free from any charge.

In Dharti Pakar Madan Lal Agarwal's case (supra), it was held that all the three ingredients must be pleaded to make out the case of corrupt practice. In case any of the three ingredients is not pleaded there would be no pleading of corrupt practice. As a part of material facts, the petition must contain allegations as to when the vehicle was hired or procured, by whom, and at what price or that the said vehicle in furtherance of hiring or procuring was for free conveyance of electors to and from Polling Stations.

Allegations under this head are to be found in para 15(xiv) and 22(a) and (b) of the petition and are to the following effect :

- (a) Hiring and procuring taxi No. HP 024-0220 owned by Bhagat Ram by the returned candidate for free conveyance of electors to and from Panjgain and in Nichli Bhateri Polling Stations. Prem Kumar of village Bagaon was carried to Panjgain Polling Station. Bhagat Ram, Anant Ram and Kirpa Ram were also carried in the vehicle. Roshan Lal and Sunder Ram of Khetar and Sunko Ram of village Naloka were carried in this vehicle to their Polling Stations Bhater and Barmana. Though the allegations made in this sub-para (xiv) of para 15 can be said to be containing the first two essential requirements, but the third essential ingredient, namely, that conveyance of the electors was free from any charge is not at all made.
- (b) From Driver Manjit Singh of Gagal Taxi No. HP-02-0979 was hired by respondent No. 1 on the polling day, in order to carry voters to Polling Stations, Nadaun, Jalari and other neighbouring Polling Stations. Santosh Sandhu of Gagal and others were carried free. The taxi was also used to carry the voters from Kalur village to Polling Stations Gurehar, Kikar Singh was one of them. It is not alleged that Santosh Sandhu was carried in this taxi to any polling station. Similarly, it is not alleged that Kikar Singh of Kalur was provided the conveyance free of charges. In the absence of these two vital links, being the essential ingredients, charge of corrupt practice cannot be said to have been legally alleged.
- (c) For the free carriage of voters from Olinda to Polling Station Gaywal-Thai, taxi No. PB-07-1503 was hired by respondent No. 1 on 20th May, 1991. Voters were carried free in order to enable them to cast their votes in favour of respondent No. 1. It is alleged that Faquir Chand, Kishori Lal and others were 'offered' free carriage to and from Polling Stations on the date of polling. Suffice it will be to say that there is no allegations that Faquir Chand, Kishori Lal and others were actually provided conveyance and were carried in the vehicle free of charge. The allegation is that they were 'offered' free carriage. Word 'offer' cannot be construed to mean 'provided'. Mere offer is not sufficient unless the vehicle was used as such for conveying free of charge, the voter to and from Polling Stations.

Applying the ratio of Dharti Pakar's case (supra) in the absence of pleading all the three essential ingredients of

corrupt practice, allegations made in paras 15(xiv) and 22(a) and (b) do not make out a proper charge of corrupt practice within the meaning of Section 123(5) of the Act.

Obtaining or Procuring any Assistance from any person in the Service of Government.

This head of corrupt practice has been highlighted in the petition by mentioning various allegations in paras 15(ix), (x) and (xi), 17(i) and 22(g), which inter alia, say

- (a) While Purshotam Dass, who was serving as member in the Armed Forces of the Union in the rank of Subedar Major on leave was appointed by the returned candidate through his election agent as a polling agent at Polling Station, Hamirpur. Thus, respondent No. 1 obtained and procured his position for the furtherance of the prospects in election.
- (b) Surinder Verma, a Pump Operator at Nadaun in the service of the Government of Himachal Pradesh was appointed as a polling agent of the returned candidate and actually worked as such on 20th May, 1991.
- (c) On 19th May, 1991, the returned candidate visited Marottan Polling Station in Ghumarwin Assembly Segment and asked C. G. Azad, who was to act as Presiding Officer on the polling day, for assistance for the furtherance of the prospects of his election by casting votes in his favour. On 20th May, 1991, Shri Azad got about 19 votes cast in favour of the returned candidate fictitiously.
- (d) Assistance of Rikhi Ram Kaundal, Deputy Speaker of the Vidhan Sabha was procured by the returned candidate by appointing him as the counting agent at Bilaspur.
- (e) Bodh Raj Jain, a postal Clerk of Ambala Cantt. Railway Station, during his leave acted as polling agent of the returned candidate at Bafra Polling Station.

In ground (b), (d) and (e) aforementioned, there is no such statement of fact made that the alleged assistance was 'for the furtherance of the prospects of the candidate'. In ground (c) also, it is not stated whether assistance of G. C. Azad was actually procured for the furtherance of the prospects of the candidate. In para 15(x) and para 22(g), there is no mention that whether the assistance was obtained or procured by the candidate himself, or by his election agent or by any other person with the assistance of the candidate or his election agent. Thus, in so far as the last four grounds are concerned, on the face of it, the allegations are vague. What to speak of material facts even the barest minimum allegations are not made.

In so far as first ground contained in para 15(ix), it can be seen that the allegations are that the election agent of the returned candidate appointed Subedar Major Purshotam Dass as Polling agent at Polling Station, Hamirpur and thus the returned candidate having obtained and procured the assistance for the furtherance of the prospects of election has committed corrupt practice as defined in Section 123(7) of the Act. These allegations in themselves are not at all sufficient without further alleging and making statement as part of the material facts as to in what manner it furthered the prospects of the candidate's election. So far as the first part is concerned, there is no manner of doubt that material facts stated is the obtaining or procuring by the election agent of the candidate, assistance from a member of armed forces of the Union but one of the vital links, in order to make out a complete charge within the ambit of Section 123(7), is missing. It is well settled that mere reproduction of the words of the Section, without setting forth the material facts is not sufficient. In order to allege that assistance was for the furtherance of the prospects of the candidate's election, it was necessary and essential to plead in clear terms as to how the assistance was obtained and procured and or in what manner it was in furtherance of the prospects of the candidate's election.

Likewise, allegations in para 15(ix), (x), (xi), 17(i) and (22g) cannot be said to be making out a complete charge since essential facts which would clothe the petition with the cause of action and which will call for an answer from the returned candidate are not pleaded. In what manner assistance was procured and in what manner the alleged assistance was in furtherance of the prospects of the candidate's election are totally missing.

There are four different heads of corrupt practices (a) obtaining, (b) procuring, (c) abetting and (d) attempting to obtain or procure assistance. As such, the material facts which must be alleged should be as to whether the candidate obtained or procured, or abetted or attempted to obtain or procure any assistance other than giving vote. On a close reading of the aforementioned paragraphs of the petition one will search in vain to find out as to whether the allegations against respondent No. 1 are in regard to one or under all the heads. Similar allegations were held to be completely vague and disclosing no cause of action in *Hardwari Lal vs. Kanwal Singh* (AIR 1972 Supreme Court 515) in para 18 of the judgement by observing :

"...Reading paragraph 16 of the election petition one will search in vain to find out as to whether the allegations against the appellant are in regard to the assistance under both heads or either head from each of the six persons mentioned there. One will speculate as to whether the appellant obtained and procured or attempted to obtain and procure assistance from each or some of the persons mentioned there. Obtaining or procuring or attempting to obtain or procure assistance are separate and independent forms of corrupt practice. One will guess as to whether the allegations are that the appellant committed all or one or more of the corrupt practices of obtaining, procuring, attempting to obtain or procure assistance from each of the persons mentioned there. One will also conjecture and hazard as to what assistance was obtained or procured or attempted to obtain or procure from each of the persons mentioned there, for the furtherance of the prospects of that candidate's election. The giving of vote is not within the mischief of corrupt practice.

It cannot be understood from the petitioner whether the giving of vote is the assistance alleged. It is, therefore, apparent that the appellant who was charged by the election petitioner with corrupt practice should be told in the election petition as to what assistance he sought. The type of assistance, the manner of assistance, the time of assistance, the person from whom assistance is sought are all to be set out in the petition. There is no allegation in the petition about the actual and the specific assistance with which the appellant can be charged in violation of the provisions of the Act. Nor is there any statement in the election petition describing the manner in which the prospects of the election were furthered and the way in which the assistance was rendered. The allegations against the appellant were in relation to six persons. Therefore, it was essential and imperative for the election petitioner to set out with exactitude and precision the type of assistance as also the manner in which assistance was obtained or procured from each person. The time, the date and the place of the assistance were also required to be set out in the particulars. Thus it had to be alleged as the material facts as to what assistance the appellant obtained or procured or abetted or attempted to obtain or procure from which person and how the assistance furthered the prospects of the appellant's election. If all the four variants and ingredients

were to be charged against the appellant these had to be set out as statements of material facts in relation to each person."

The petition merely citing the bare words of Section cannot be said to disclose a cause of action, where the allegation is the obtaining or procuring of assistance, unless the exact type and form of assistance and the person from whom it is sought and the manner in which the assistance is to further the prospects of the candidate are alleged as statement of fact, pleadings would be incomplete lacking material facts.

In para 18 of the judgement in *Azhar Hussain's case* (supra), similar allegations made were held to be lacking in material particulars. The Court making reference to the averments and placing reliance in two earlier judgements held :

"The averments contained in paragraph 4 pertaining to Ground No. 1 do not satisfy the test prescribed in *Manubhai Amarsey vs. Popatlal Manilal Joshi* (AIR 1969 SC 74) and *Hardwari Lal vs. Kanwal Singh* (AIR 1972 SC 515) (supra). The most important test which remained unsatisfied is as regards the omission to satisfy in what manner the assistance was obtained and procured by the election-candidate for promoting the prospects of his election. All that has been stated is :

"His services were procured and obtained by the respondent, his agents and other persons with the consent of the respondent with a view to assist the furtherance of the prospects of the respondent's election....."

It is not mentioned as to who procured or obtained the services of Shri Beg, in what manner he obtained the services and what were the facts which went to show that it was with the consent of the respondent. Unless these 'essential facts which would clothe the petition with a cause of action and which will call for an answer from the returned candidate are pleaded' as per the law laid down in *Manubhai Nandlal Amarsey vs. Popatlal Manilal Joshi* (AIR 1969 SC 734) (supra) it cannot be said that the petition discloses a cause of action in regard to this charge. In the absence of these material facts and particulars the Courts could not have rendered a verdict in favour of the election petitioner in case the returned candidate had not appeared to oppose the election petition....."

Applying the ratio in *Azhar Hussain's case* (supra), there is no manner of doubt that under the aforementioned head also material facts are not stated and allegations to that effect cannot be set down for trial.

Another ground alleged in para 10 of the petition for declaring the election of respondent No. 1 void is that at the time of scrutiny, an objection was raised by the petitioner to the candidature of Rattan Singh Dhadwal, respondent No. 7, to the effect that he was disqualified for being chosen as a member of either house of the Parliament, since he was an employee of Government of India, thereby holding office of profit. It is alleged that respondent No. 7 was in the service of the Government of India at Branch Post Office, Karoa, but this objection was not taken note of. Nomination was improperly accepted as a result of which, in so far as it concerns the returned candidate, result of election has materially been affected.

Mr. Jain, appearing for respondent No. 1, has raised an objection that pleading of these facts do not disclose any cause of action and the petition cannot be taken to trial since material facts have not been pleaded. In order to make out a complete ground seeking to set aside election within the

ambit of Section 100(1)(d)(i), it is necessary for a petitioner to plead all material and essential facts that the result of the election, in so far as it concerns the returned candidate, has been materially affected by the improper acceptance of any nomination. Mere reproduction of the wording of the section alone will not suffice but in order to make out a complete charge particular defect has to be pleaded. In the absence of any particular defect being pleaded, it will not be permissible, in case the petition is taken to trial to receive any evidence in case such a defect would constitute a material fact.

At this stage the criteria would be that in case averments made in the petition are on the face of it accepted as true, can a verdict be recorded in favour of the petitioner. The petitioner has nowhere pleaded as to what was the post held by Rattan Singh Dhadwal. In the absence of disclosing the nature of the post held, it will not be possible for the Court to draw any inference that Rattan Singh Dhadwal was holding any office of profit as per the requirement of Article 191(1)(a) of the Constitution. In addition thereto from the result sheet, Annexure P-1, attached with the petition, it is apparent that said Rattan Singh Dhadwal polled 908 votes. Votes polled in favour of the petitioner are 202232 and by respondent No. 1, the same were 205970. The difference as noticed above is of 3738 votes. In case by the improper acceptance of the nomination of Rattan Singh Dhadwal had the effect of only 908 votes being polled in his favour, it is not pleaded in any part of the petition as to how the result of election in so far as it concerns the returned candidate has been materially affected by improper acceptance of nomination.

In *Mithulesh Kumar Sinha vs. Returning Officer for Presidential Election and others* (JT 1992 (5) S.C. 479), the constitution Bench held that in the absence of any defect showing the nature and character of the ground for improper acceptance of nomination being pleaded, such a ground made out for seeking election to be set aside does not amount even prima facie to making out a case for the trial of election petition. It would have been necessary for the petitioner in the instant case, firstly, to point out the nature of posting of the said Rattan Singh Dhadwal, as also the manner in which the result, in so far as it concerns the returned candidate has been materially affected. In the absence of these material facts, no prima facie case has been made out and the petition does not disclose any cause of action for trial under Section 100(1)(d)(i) of the Act.

In paras 19, 20 and 21, the corrupt practices alleged to have been committed either by the returned candidate or his election agent or by other persons with the consent of the returned candidate and the election agent are the one defined under sub-section (3) and (3A) of Section 123 of the Act, namely, appeal to vote or refrain from voting on the ground of religion, race, caste, community or language and the promotion of feelings, enmity or hatred between different classes of citizens on the said grounds. The pleadings to this effect in various paras deserve elaborate scrutiny in order to understand the clear meaning thereof and also to find out as to whether all or any one of them do disclose any cause of action so that petition may set down for trial.

It has been alleged that in view of the ensuing 10th Lok Sabha elections, political parties like Bhartiya Janta Party and other Organisation such as Vishwa Hindu Parishad and Bajrang Dal exploited the unfortunate controversy, which has arisen regarding the place of worship at Ayodhya, commonly known as Ram Janam Bhumil Babri Masjid issue. Bhartiya Janta Party, which had sponsored the returned candidate from the Hamirpur Parliamentary Constituency, suddenly decided that it is the only party which fight for the rights of the Hindus. While this party tried to exploit the aforementioned issue at the national level, the other political organisations, namely, Bajrang Dal tried to exploit the issue of protecting Hindu religion in northern States. The Bhartiya Janta Party, in the erstwhile Lok Sabha had only 83 members and Shri L. K. Advani was its leader in the house, who also happened to be its President. In connivance with Vishwa Hindu Parishad, a purely religious organisation, which propagates for

Hinduism and Hindutwa, the Bhartiya Janta Party campaigned and organised Rath Yatra to Ayodhya for the alleged construction of Ram Mandir. Bhartiya Janta Party was propagating through elections by raising the issue of Ram temple for which purpose it sought the cooperation of Vishwa Hindu Parishad for securing votes for their party candidate. It is further alleged that the returned candidate and his agents with his consent promoted feelings of enmity and hatred between different classes of citizens on the grounds of religion for the furtherance of the election of the returned candidate and also prejudicially affected the election of the petitioner and published an appeal to the electors of the constituency. The returned candidate and his agents, with his consent also on the ground of their religion and caste appealed to the electors of the constituency to vote for him and to refrain from voting for the petitioner.

These averments, which, if taken in isolation, without taking into consideration what is stated in sub-para (a) to (i) of para 19(ii), on the face of it, allege nothing except merely reproducing bare provisions of sub-section (3) and (3A) of Section 123 of the Act. The material facts, according to Pt. Om Parkash, learned counsel for the petitioner are clearly stated and spelled out in sub-para (a) to (i) of para 19(ii) as also in sub-para (i) to (vii) of para 20 and para 21. It is further contended that the material facts pleaded and stated in these paras do make out triable issues and the petition cannot be said to be not disclosing any cause of action. In case some particulars are lacking, the same can be supplemented by calling upon the petitioner to supply those particulars, but the averments made in these sub-para are not lacking in material facts. Shri Jain has pointed out number of deficiencies in material facts. Before considering the so-called deficiencies, it would be profitable to refer to the requirements of law, under the two separate provisions.

Under sub-section (3) of Section 123 of the Act, appeal by a candidate or his agent or by any other person with the consent of the candidate or his election agent, to vote or refrain from voting, on the ground of "his religion, race, caste, community, or language" for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate is deemed to be a corrupt practice for the purpose of the Act.

Under sub-section (3-A) of Section 123, it is the promotion or attempt to promote feeling of enmity or hatred between different classes of citizens by the candidate, his election agent or by any other person with consent of the former for the furtherance of the prospects of the election of that candidate or for prejudicially affecting the election of any candidate on the ground of religion etc. is the corrupt practice.

From the bare reading of the provisions, what can be gathered is that in case the appeal is imputed to be by a person other than the candidate or his election agent, it should be with the consent of the candidate or his election agent. Consent has been held to be the life-line to link up the candidate with the action of the other person which may amount to corrupt practice and unless it is specifically pleaded, the candidate cannot be charged for the action of others. There is a clear distinction between consent and connivance, which has been pointed out in Charan Lal Shahu's and Surinder Singh's case (supra). In addition to the clear and specific pleading of consent as a part of material fact, what further facts are required to be pleaded as held in *Nihal Singh vs. Rao Birendra Singh* and another, 1970 (3) Supreme Court Cases 239, are the dates, the places of each meeting, the names of the persons and the contents of appeal. In case, the allegations are based upon the pleadings of appeal having been made by printing published and circulating pamphlets in that case, in accordance with the ratio of judgment in *Azhar Hussain's case* (supra) particulars of the persons, who printed, published or circulated the pamphlets when, where and how it was circulated and which facts indicate the candidate's consent to such distribution are material facts.

It is alleged that during the election from 23rd April to 20th May, 1991, a hand-bill purported to have been issued by the Vishwa Hindu Parishad, Palampur, was circulated

amongst the voters, a copy of which has been annexed to the petition as Annexure P-5. It is alleged that through this pamphlet, an appeal was made to the voters to vote or refrain from voting any person on the ground of his religion and also it promoted and attempted to promote feelings of enmity and hatred between different classes of citizens on the ground of religion. The hand-bill was duly circulated with the consent of the returned candidate and his election agents for the furtherance of the prospects of the election of the candidate and for prejudicially affecting the election of the petitioner and this hand-bill vastly influenced the voters. It is further alleged that Bhartiya Janta Party had contested the election in collaboration with Vishva Hindu Parishad, which fact was not disputed by the returned candidate at the relevant time and, as such, he is now estopped from disputing it. These averments, on the face of it cannot be said to be disclosing any cause of action and in any case not meeting the requirements of law, as laid down in Nihal Singh's case (supra), which was followed in Azhar Hussain's case. In para 38 of the judgment in Azhar Hussain's case (supra), the Supreme Court in clear terms laid down the said requirement by saying that :

"In view of the doctrine laid down in Nihal Singh's case (1970(3) SCC 239) (supra) as early as in 1970, the High Court was perfectly justified in taking the view that no cause of action was made out. For, in the absence of material particulars as to who had printed, published or circulated the pamphlet, when, where and how it was circulated and which facts went to indicate the respondent's consent to such distribution the pleading would not disclose a cause of action. There would be nothing for the respondent to answer and the matter would fall within the doctrine laid down in Nihal Singh's case (supra)."

On 22nd April, 1991, it is alleged that the returned candidate appears to have addressed the Press Conference, titled as 'meet the press', which was published in Jansatta, Chandigarh on 24th April, 1991, wherein it was mentioned that the returned candidate and his party would be contesting the election on the basis of Hindu and Hindustan, copy of which is Annexure P-6. It is alleged that the publication is widely read and circulated, which was never contradicted by the returned candidate and he acquiesced in the publication. In this sub-para (b) of para 19(ii), the facts pleaded are that the returned candidate appealed to the voters to vote in his favour and to refrain from voting in favour of the petitioner "on the ground of religion". Taking these averments, as they are, on the touch-stone of the proposition of law propounded in Kanti Prasad Jayshanker Yagnik vs. Purshottamdas Ranchhoddas Patel and others (AIR 1969 Supreme Court 851), do not amount to making of an allegation of corrupt practice. The majority judgment by Justice Sikri, speaking for himself and Justice Bachawat J., ruled that there is no bar to a candidate or his supporters appealing to the electors not to vote in favour of a party in the name of religion. Section 123(3) bars an appeal by a candidate or his agent or any other person with the consent of candidate or his election agent to vote or refrain from voting any person on the ground of 'his religion' which term was held to mean 'the religion of the candidate'. Applying the ratio to the pleadings set out in this sub-para of the petition, there is no averment in this sub-para that the so called appeal was made by respondent No. 1 on the ground of 'his religion'.

It has been pleaded that the General Secretary of Hamirpur Parliamentary Central Office, Hamirpur of Bhartiya Janta Party got a pamphlet published with the photograph of respondent No. 1, wherein an appeal was made to the electors to vote for the returned candidate, who had been sponsored by the Bhartiya Janta Party and assured the construction of Ram Mandir. This publication was circulated and on account of the assurance of construction of Ram Mandir, it had the effect of several voters to vote for the returned candidate and refrain from voting for the petitioner. It is further averred that Lord Rama is considered to be the incarnation of God by all Hindus, who have got immense faith in Lord Rama. In this sub-para (c), there is absolute

lack of the pleadings of the consent which being the life-line to link up the returned candidate with the so-called action of the General Secretary of Central Office of Bhartiya Janta Party. In the absence of pleading of consent as a part of material fact, allegation of corrupt practice within the ambit of Section 123(3) of the Act are not complete. In case it is taken up to be a corrupt practice committed by the General Secretary in the interests of the returned candidate, in that case the further requirement of Section 100(1)(d)(ii) in not impleading the material fact that the result of election in so far as it concerns the returned candidate has been materially affected is fatal. There is also absolute lack of the other pleadings, such as, when the hand-bill was published, who published it, where, when and in what manner it was circulated amongst voters and by whom. These are all part of essential requirement in order to charge respondent No. 1 with the commission of corrupt practice or on the basis of which an election may be declared as void.

In sub-para (d) of para 19(ii), it is averred that the workers of Bhartiya Janta Party, in order to arouse communal passions were screening video films on Ayodhya, secretly. The petitioner had sent a telegram on 10th May, 1991 to Shri T. N. Seshan, Chief Election Commissioner and Shri Atfar Singh, Chief Electoral Officer, Himachal Pradesh. These averments also do not advance the petitioner's case any further, since it does not fall in any of the categories of the corrupt practices defined in Section 123 of the Act. It is not a ground on which election can be declared void under Section 100 of the Act. Moreover, the nature of video films alleged to have been screened and in what manner the same aroused communal passion, when and where the same were screened and by whom or whether it was with the consent of the returned candidate is not at all pleaded, being part of material facts.

It is alleged that Bhartiya Janta Party arranged a tour of Sadhvi Ritambhara belonging to Vishva Hindu Parishad to Himachal Pradesh and a news-item to this effect was published in Jansatta, Chandigarh on 11th May, 1991. Consequent to this news-item, Sadhvi Ritambhara did visit the State and with regard to her tour an advertisement, purported to have been issued by the Vishva Hindu Parishad, was published on 11th May, 1991 in Daily Punjab Kesri. From these averments, made in sub-para (e) of para 19(ii), it is alleged that Sadhvi Ritambhara came to propagate in favour of Bhartiya Janta Party candidate. These averments also, on the face of it, do not amount to committing of any corrupt practice on the part of the candidate.

Two advertisements were published by the Bhartiya Janta Party on 14th May, 1991, with regard to the tour programme of Atal Bihari Vajpayee, copies of which have been annexed as Annexures P-11 and P-12 with the petition. It is alleged in sub-para (f) of para 19(ii) that through these advertisements an appeal was made on the basis of religion to seek votes and to cooperate with the said party. Advertisements were inserted in the Indian Express and the Vir Pratap, Jullundur, which was widely read in the Constituency and by the electors. On account of this religious appeal, the electors were swayed to vote for the returned candidate and refrained from voting for the petitioner. As noticed above, the appeal in order to be an offending one has to be on the ground of 'his religion', namely, religion of the candidate. There is no averment in this para that the appeal was made on the candidate's religion or that such an appeal was made, advertisement was published and circulated with the consent of the returned candidate. Who published the advertisements or circulated the appeal is not stated. In case the allegations can be said to be falling in Section 100(1)(d)(ii) of the Act of corrupt practice committed in the interest of the returned candidate, there is further lack of averments that the election, in so far as it concerns the returned candidate has been materially affected. Averments, as such, are lacking in material particulars.

In sub-para (g) of para 19(ii), it has been alleged that a meeting was held on 16th May, 1991, in the compound of Government College, Bilaspur, organised by Bhartiya Janta Party and Vishva Hindu Parishad, with the consent of the

returned candidate by Sadhvi Ritambhara. Vishva Hindu Parishad, Bilaspur had circulated a hand-bill with regard to the tour programme of Sadhvi Ritambhara and of the public meeting at Bilaspur. One of the hand-bill is annexed as Annexure P-13 to the petition. It is alleged that the hand-bill appealed the electors to cast their votes in favour of such candidate and party who propagates and talks about the betterment of Hindus, which were none else, except the Bhartiya Janta Party and the returned candidate. By making these allegations, it is alleged that by circulation of Annexure P-13, an appeal was made to the electors to vote for Hindu religion to which the returned candidate belongs and it also refrained the electors from voting for the petitioner, who propagated secularism. In this sub-para, the allegation made is as regards appeal through publication of hand-bill on the ground of Hindu religion, which is also the religion of the returned candidate but still material facts, which ought to have been alleged in order to make out a complete charge of the corrupt practice alleged, which are lacking, are about the consent of the candidate that the hand-bill was published, printed or circulated with the consent of the candidate. It is also not alleged as to in what manner the same was published, when and by whom. The allegation of the consent in this sub-para is about the holding of the meeting and not of publication through which appeal to the electors is stated to have been made on the ground of religion. Even in case the allegation or averments relating to the circulation of the hand-bill by the Vishva Hindu Parishad, Bilaspur, be taken to be making religious appeal in the interest of the candidate. In that case, the requirements of Section 100(1)(d)(ii) are also lacking, since it is not averred that the result of the election, in so far as it concerns the returned candidate has materially been affected due to the making of appeal by the Vishva Hindu Parishad. How and in what manner it affected the prospects is also not alleged.

According to the submissions made by the learned counsel for the petitioner, the averments made in sub-para (h) of para 19(ii) of the petition are of a very serious nature, which would fall within the definition of corrupt practices defined both in sub-section (3) and (3-A) of Section 123 as an appeal to the electors to vote on the ground of his religion as also an attempt to promote feelings of enmity and hatred between different classes of citizen on the ground of religion, for the furtherance of prospects of the election of respondent No. 1 and for prejudicially effecting the election of the petitioner. It is contended that the appeal was made by Sadhvi Ritambhara with the consent of returned candidate in a speech, which was tape recorded and the transcript thereof is placed on record as Annexure P-14. All essential and necessary averments have been made so as to allege the commission of corrupt practice. The learned counsel for respondent No. 1 has pointed out numerous lacunae in the averments so made and has contended that the pleadings are deficient in material particulars and the same are so vague that it has left a wide scope to the petitioner to adduce evidence in respect of the essential and basic requirements. Pleadings in fact are so vague and wanting essential particulars that the same cannot be said to be spelling out a complete cause of action. On account of failure to mention the material facts, the Court would not look into such a charge.

It is alleged that a public meeting was held by Sadhvi Ritambhara on 16th May, 1991 in Government College Grounds, Bilaspur with the consent and in presence of respondent No. 1. The speech (transcript Annexure P-14) so made in the said meeting is nothing except an attempt to promote feelings of enmity and hatred between different citizens on the ground of religion. It is further alleged that the tape alongwith a video cassette was displayed by respondent No. 1 through his election agent and other persons with his consent in the entire constituency which had the effect of arousing the sentiments of electors and promoting the feelings of enmity and hatred between Hindus and Muslims. It is alleged that the speech was made for the furtherance of the prospects of election of the returned candidate and for prejudicially affecting the election of the petitioner.

In this sub-para, the material facts as to what was the actual speech or whether in fact it amounts to an attempt to promote feelings of enmity and hatred have not been

stated. There is a reference in this para to the transcript of the speech which was tape recorded which transcript has been annexed as Annexure P-14, as such, it is necessary to refer to the said Annexure, since it forms an integral part of the petition. The Annexure is in Hindi, its translation is Annexure P-14/A. During the course of arguments, learned counsel for the petitioner read out verbatim the document and highlighted a few portions thereof which may be reproduced as under:—

".....Our agitation is not limited to demolish or construct a building. We are not fighting for one bigha of land, for Sri Ram Janambhoomi. But for a wonderful glorification of our religion, for the pure refinement of our culture, for the elevation of Indianness, for launching a movement for national consciousness, for the recognition of our identity, that is for the removal of all obstacles in achieving the goal of 'Hindi, Hindu Hindustan', we shall not stop till Ram Temple is constructed....."

The Mandal issue was raised to create a split in Hindu castes. They thought that the Hindus would be divided and split on the issue of reservation and their attention will be diverted from the issue of Rama Temple. By and by the problem will be solved. But this thinking proved futile, dirty and contemptible. We shall set fire to such misconception. We shall definitely construct the Rama temple and my dear Hindu brothers do not split the Hindu castes, on the issue of reservation. If the Hindus get divided among themselves, then the signposts of Hindu unity will be blurred..... Rama is the God of weak and down trodden. He is the life of Kewats, Nishats and Dhobis. One who is not a true devotee of such a 'Rama' has anything, except Hindu blood. We shall surely search such persons. We shall definitely construct Rama temple.You declared a holiday on the birth anniversary of Prophet Mohammad, while you forgot to declare a holiday on 'Rama Navami'. The policy of appeasement struck you blind, the politics of votes polluted you. We will demolish such politics and construct the Rama temple.

Hindu brothers! I call upon you to construct the temple of Rama on his place of birth. The saints have proclaimed to brighten up all the paths, make the enmities of Rama bite the dust, elect the Government of Rama Bhakts. This movement of ours does not oppose any Muslims. Wherever I go, I say dear Muslim brothers, live freely, live in harmony by mixing with us..... We have tolerated a lot but now the limits of tolerance have been crossed. THE GREAT WAR OF EMPTIONS IS APPROACHING AND HINDU SOCIETY HAS TO GET ORGANISED FOR ELECTING A GOVERNMENT OF RAM BHAKTAS SO THAT THE CHAMBERS OF PARLIAMENT MAY RESOUND WITH THE SLOGANS OF 'JAI SIA RAM'. Though you may belong to 'Congress-I', or the defunct 'Congress', 'Lok Dal', 'Parlok Dal', Janta Dal(s) or Janta Dal (H), but you should feel proud of the Hindu blood in your veins. Forget your party affiliations.....

The leaders whom we accepted, only played with the sentiments of countrymen and particularly with the Hindus. Muslims got a new country in the form of Pakistan. They got a special status while living in India, they got a Minorities Commission and the freedom to have religious education of their choice. They bother the least about family planning. They have also the freedom to marry five times and breed and multiply like flies and mosquitoes, producing thirty to thirty five children. The Hindus got the country with arms amputated, the grave risk in bringing out processions, grave threats on the occasion of their celebrations of festivals, a ban on the expression of their views, and heavy axe on their beliefs..... Time has now come when

the Hindu Society has to prepare for dislodging these power hungry wolves. I have come after visting the States of Gujarat, M.P., Rajasthan, Bihar, Andhra Pradesh, Kerala and U.P. Nearly 3 lakh people waited for my arrival at Baroda in perspiring heat. This was not for any political affiliations but was due to devotion to Lord Rama. This is the faith towards Lord Rama. All Hindus of the country are determined to make the antagonist of Rama bite the dust and elect a Government of Ram Bhaktas..... I have only this appeal to make to you that this is the clarion call of the times. If you do not heed this call time will curse you. The generations to come, will be fettered in their feet and become slaves. So I request you to forget your patronage of near and dear and forget your castes. Elect a Government of Rama Bhaktas. Raise your hand with fists, roar like lions, raise the slogan in favour of Vir Shiva Ji and Rana Pratap. Say with pride we are Hindus and Hindustan belong to us....."

Referring to the aforementioned paragraphs in Annexure P-14/A, it is contended that an appeal was made to attempt to arouse the feelings of enmity and hatred between different classes of citizens on the ground of religion.

It is judicially recognised that the rival candidate may also belong to the same religion but a corrupt practice under Section 123(3) can be committed by a candidate by appealing to the voters to vote for him on the ground of his religion. The issue of Ram Janam Bhumi Babri Masjid, it is alleged, became a political issue and according to the learned counsel for the petitioner formed the subject matter of controversy at election meetings for the 10th Lok Sabha elections. It indirectly and incidentally induced considerations of religion.

In this background, while deciding the questions as to whether the allegations made, as such, amount to any corrupt practice within the meaning of Section 123(3) or (3-A), in view of the ratio of the judgment in Kultar Singh vs. Mukhtiar Singh (AIR 1965 Supreme Court 141), care must be taken to consider the impugned speech or appeal and always in the light of relevant political controversy. Court should not be astute to read into the words used in the appeal anything more than what can be attributed to them on its fair and reasonable construction. The Court further held that the principles which have to be applied in construing such a document are well settled, namely, the document must be read as a whole and its purport and effect determined in a fair, objective and reasonable manner. In reading such documents, it would be unrealistic to ignore the fact that when election meetings are held and the appeals are made by the candidates opposing political parties, the atmosphere is usually surcharged with partisan feelings and emotions and the use of hyperboles or exaggerated language, or the adoption of metaphors, and the extravagance of expression in attacking one another are all a part of the game; and so, when the question about the effect of speeches delivered or pamphlets distributed at election meetings is argued in the cold atmosphere of a judicial chamber, some allowance must be made and the impugned speeches or pamphlets must be construed in that light. In doing so, however, it would be unreasonable to ignore the question as to what the effect of the said speech or the pamphlet would be on the mind of the ordinary voter who attends such meetings and reads the pamphlets or hear the speeches. These principles in Kultar Singh's case were laid in the light of the effect of the returned candidate in that case having distributed and printed posters with the following contents :

"Dear resident Sikhs,

We, who are living in Singapore, Malaya, and South East Asia, place this before you, most respectfully, that at this critical juncture it is your duty to keep high the honour of the Panth. This is not the time to criticise the weaknesses of the leaders of the Panth; the need is that in the coming General Elections you should defeat the opponents of the Panth the same way as you did in the last Gurdwara Elections. Every Sikh vote should go to the representatives of the Akali Dal, and we hope that this prayer of ours from far off will be accepted by you and you will once again preserve the honour

of the Panth. Victory of the Panth will maintain the honour of the Panth. By maintaining such honour we will reach our final goal, that is Panjabi Suba."

The poster then ends thus :—

"We remain anxious to keep the honour and prestige of the Panth ever high.

Yours,

Non-resident brothers"

The Court in Kultar Singh's case held that the question for decision was not what the word Panth in the abstract may mean in the Punjab. The question would be as to what does the word Panth mean in the context of the pamphlet, the distribution which is alleged to constitute corrupt practice. The Court observed that it was not concerned to consider the propriety, the reasonableness or the desirability of the claim for Punjabi Subha, which was a political issue and it is perfectly competent to the political parties to hold bonafide, divergent and conflicting views on such a political issue. In the light of the context of the pamphlet, the Supreme Court held that the appeal made to the voters for the glory and prestige of the Panth would not mean the glory and prestige of the Sikh religion.

The context of the transcript of the speech of Sadhvi Ritambhara wherein the appeal is alleged to have been made by saying "I have only this appeal to make to you that this is the clarion call of the time. If you do not heed this call time will curse you. The generations to come will be flattered in their feet and become slaves. So I request you to forget your patronage of near and dear and forget your castes. Elect a Government of Ram Bhagats" will neither amount to nor it would be possible to accept the submission that making of such a speech Sadhvi Ritambhara appealed to the voters because of the religion of respondent No. 1. Ram Bhagat used in the speech does not mean and refer to the religion of the returned candidate.

Reference may also be made to a later judgment in Ebrahim Sulaiman Sait vs. M. C. Mohammed and another (AIR 1980 Supreme Court 354). The election of the appellant in that case, who was a Muslim League candidate to the Lok Sabha from Kerala constituency was declared void on the ground that the speech made by him at an election meeting are directed against the members of the Muslim League (opposition) amounted to corrupt practice within the meaning of Section 123(3A). The Supreme Court on appeal reversing the said decision of the Kerala High Court held by following the ratio in Kultar Singh's case (supra) :

"...the speech sought to criticise the wrong policy of the Muslim League (Opposition) in aligning with parties that were allegedly responsible for atrocities against the Muslims and not just to emphasise the atrocities. In our opinion it cannot be said that the speech falls within the mischief of Section 123(3A) of the Act;....."

The following passage from the judgment on Kultar Singh's case (supra) was quoted with approval :

"It is well known that there are several parties in this country which subscribe to different political and economic ideologies, but the membership of them is either confined to, or predominantly held by, members of particular communities or religions. So long as law does not prohibit the formation of such parties and in fact recognises them for the purpose of election and Parliamentary life, it would be necessary to remember that an appeal made by such candidates of such parties for votes may, if successful, lead to their election and in an indirect way may conceivably be influenced by considerations of religion, race, caste, community or language. This infirmity cannot perhaps be avoided so long as parties are allowed to function and are recognised, though their composition may be predominantly based on membership of particular communities or religion."

Assuming the averments as made in sub-para (h) of para 19(ii) of the petition on its face value to be correct, since defence of the returned candidate cannot be noticed at this stage and considering in that light the so called text of the speech of Sadhvi Ritambhara, even if the allegations remain un rebutted, in view of the two aforementioned decisions in Kultar Singh's case and Ibrahim Sulaiman's case (supra), allegations do not amount to committing corrupt practice within the meaning under Section 123(3) and (3-A) of the Act.

In addition to the above, one of the essential material fact in the light of the observations made in Azhar Hussain's case (supra), the manner of giving so called consent by the candidate is missing. In Azhar Hussain's case (supra) in para 31, while dealing with the averments of giving consent, the Court observed:

".....even a bare or bald averment is not made as to:

- (i) whom the returned candidate gave consent;
- (ii) in what manner and how; and
- (iii) when and in whose presence the consent was given....."

In the light of this, it was necessary for the petitioner to have in clear words alleged that when and in whose presence the consent for making such a speech was given by the returned candidate and in what manner and how the same was given. The question of verification of the contents of this sub-para of the petition as also the affidavit in support thereof wherein the same are stated to be true to his information without disclosing the source of information become relevant and important. In case, it is alleged that the speech was made by Sadhvi Ritambhara with the consent of the returned candidate, it is a part of essential and material fact to allege in what manner and how as also when in whose presence the consent was given. From whom and in what manner the petitioner became aware of the fact of the returned candidate having consented to the offending speech. The vague assertions made as regards consent cannot be made foundation of making allegation of commission of a corrupt practice.

The next allegation of corrupt practice is in sub-para (i) of para 19(ii) that an organisation known as Bajrang Dal, which has cropped up after the issue of Ram Janam Bhumi Babri Masjid has its branch at Nadaun and during the election period, it published and circulated a poster (Annexure P-15) with the consent of the returned candidate and his election agent amongst voter and pasted it at different and conspicuous places by way of an appeal to the public not to vote to such person who does not respect Ram and Sita and who offends Hindutava. Since the petitioner being candidate of Congress-I which has faith in secularism, therefore, the voters were refrained from voting to the petitioner. There is no statement of fact made in this sub-para as to in what manner consent was given by respondent No. 1, to whom it was given, when it was given. The date, time and place of publication and circulation of poster is also not disclosed. Who were the persons, who got printed, published and circulated the poster. Since the poster read as a whole, on the face of it, does not make any reference to the returned candidate. In view of Section 100(1) (d)(ii), the allegations to the commission of corrupt practice by any person in the interest of the returned candidate, in the absence of further allegations that the result of the election in so far as it concerns the returned candidate has been materially affected will not make out a complete cause of action. Due to these defects, the allegations are incomplete and lack material particulars.

Sub-para (i) of para narrates that on 16th May, 1991 at about 8.00 p.m. at village Baroti, a meeting was addressed by the returned candidate and Jagdev Chand, the Minister for Public Works and Transport to the Government of Himachal Pradesh, which was attended to by 50-60 persons. Jagdev Chand toeing the line of Bhartiya Janta Party and its allies such as Vishva Hindu Parishad and others exhorted the voters present that all members of the community should

vote in favour of the returned candidate, who also belong to Rajput community, otherwise those Rajput voters who will not vote in favour of the returned candidate would be ex-communicated from the Biradari. It is contended that the allegations make out a complete charge. The objection raised is about the total absence of material facts of the returned candidate's consent to Jagdev Chand making such a speech. Submission on behalf of the learned counsel for the petitioner is that since the averments in petition are that the returned candidate, who was sitting there did not object to the speech rather clapped and signalled to the audience, consent should be inferred from the circumstances. This submission cannot be accepted in view of the exposition of law by the Constitution Bench in Charan Lal Shahu and Surinder Singh's cases (supra), which were relied upon in Azhar Hussain's case (supra), saying that the consent is the life-line to link up the candidate with the action of the other person, which may amount to corrupt practice. Unless it is specifically pleaded the charge for the action of others against the candidate cannot be made. In view of this position of law, there is no manner of doubt that the allegations do not amount to making out a complete charge.

It is alleged that on 16th May, 1991 at about 9.00 P.M. at village Bijhari, a meeting was addressed by Jagdev Chand, Public Works and Transport Minister in presence of the returned candidate. The tenor and wording of the same was verbatim the same as were stated in the meeting held at Baroti. These averments in sub-para (ii) of para 20 also, for the self same reasons, which are applicable for the averments as regards the meeting held at Baroti also lack material facts and thus disclosing no cause of action.

It is alleged that the returned candidate alongwith Jagdev Chand on 17th May, 1991 at Balduhak addressed a meeting attended by about 70 persons where the returned candidate and Jagdev Chand forcefully persuaded the persons to vote for the returned candidate, a member of the Rajput community and to refrain from voting in favour of the petitioner, a non-Rajput, otherwise the members of the Rajput community, not voting for the returned candidate would be ex-communicated from the Biradari. The material facts on considering the pleadings in sub-para (ii) of para 20 allege that appealing to the voters, even if it is by the candidate himself, to vote for him and refrain from voting in favour of the petitioner on the ground of caste are still lacking by not making a further statement of material fact that the same was for the furtherance of prospects of the election of the candidate or for prejudicially affecting the election of any candidate. It is a sine-qua-non to make out a complete charge by specifically pleading that such an appeal made was for the furtherance of the prospects of the returned candidate or for prejudicially affecting the election of the election petitioner.

In sub-para (iv) of para 20 basis for making out a charge of corrupt practice are the allegations that on 6th May, 1991, at Taunidevi at about 12.00 noon, the returned candidate alongwith Shanta Kumar, Chief Minister addressed a gathering of about 170-190 persons. The meeting started with the playing of speech recorded in the audio cassette of Sadhvi Ritambhara appealing to the voters to vote in favour of the returned candidate, and refrain from voting to the petitioner, on the basis of religion, since Bhartiya Janta Party and its candidate are the only saviours of the Hindu religion. As per the speech of Sadhvi Ritambhara, all the Hindu voters should vote in favour of Bhartiya Janta Party candidate, namely, respondent No. 1 and not in favour of the petitioner. It is further alleged that the returned candidate also addressed the gathering on the same ground and declared that Himachal being dominated by Hindu community, Bhartiya Janta Party would win not only the Hamirpur seat but three other Parliament seats also. The returned candidate also appealed to the members of the Rajput community and Ex-servicemen to vote for him being a deserving candidate. In his address, the Chief Minister, Shanta Kumar toed the line of Sadhvi Ritambhara.

Similar averments have been made in sub-para (vi) of para 20 that on 13th May, 1991 at Daulatpur Chowk in Una District at about 7.00 P.M., a meeting was addressed by the returned candidate and Chief Minister Shanta Kumar attend-

ed by about 500—600 electors. Respondent No. 1 was the first to address the meeting and he declared that Una being contiguous to Punjab, it is special duty for Hindus to vote and support the Bhartiya Janta Party because Congress is responsible for the killing of Hindus in Punjab. Tape recorded speech of Sadhvi Ritambhara played thereafter strongly persuaded the voters to vote for the Bhartiya Janta Party candidate in order to save Hinduism in the country and to refrain from voting for such parties who propagate secularism and have sympathy for other religion. Chief Minister Shanta Kumar also addressed the meeting saying that the Bhartiya Janta Party Government has done more for Hindus in just a span of one year than the Congress-I Government. It is alleged that Shanta Kumar endorsed the recorded speech of Sadhvi Ritambhara by saying that it has become the bounden duty of Hindus to vote for Bhartiya Janta Party so that Hindu and Hinduism is saved, and appealed to the voters to see that saffron flag is hoisted in the Parliament House instead of Tri-colour. This act on the part of the returned candidate and Shanta Kumar with the consent and in connivance of respondent No. 1 amounts to corrupt practice.

The next two sub-para's of para 20, namely (vi) and (vii) also make similar allegations that a meeting was organised on 6th May, 1991 by the Bhartiya Janta Party at Kandaur addressed by Chief Minister Shanta Kumar, the returned candidate and Sada Ram Thakur, M.L.A. of Bilaspur attended by about 350—400 electors. The three of them in their address appealed to the voters on the same line as stated in the preceding paragraphs.

At Pir Safuhi, on 5th May, 1991 a meeting was organised by the Bhartiya Janta Party at about 5.00 PM attended by 60-70 electors. The returned candidate and Virender Kumar, a Bhartiya Janta Party M.L.A. addressed the meeting, repeating the contents of speech as reproduced in the preceding para. The returned candidate addressed the electors "Jo Hindu Bhartiya Janta Party Ko Vote Dega, Veh Ram Ki Aulad Hai, Jo Kangress Ko Vote Dega Veh Babar Ki Aulad Hai". It is alleged that by this address the candidate is guilty of promoting feelings of enmity and hatred between the Hindus and Muslims on the ground of religion.

By making reference to the allegations in the aforementioned sub-paragraphs, the learned counsel for the petitioner submitted that the facts alleged do constitute pleading of charges of corrupt practice. In case, there is any objection as regards lack of a few better particulars, the same can be supplied on respondent No. 1 praying for the same, but the allegations as made cannot be brushed aside at this stage, when evidence has yet to be led and during the course of evidence, the charge will be proved. Learned counsel for respondent No. 1 contended that in the absence of material facts, which are required to be pleaded the grounds which lack in material facts have to be ignored from consideration and the same cannot be made subject matter of an issue in a trial of an election petition.

Dealing with the submissions as also the allegations made in sub-para's (iv) to (vii) of para 20, what requires to be ascertained is as to whether all essential material facts are stated so that the petition may be set down for trial. In none of these sub-para's, there is any averment of fact that the so called appeal was made for the furtherance of the prospects of the election of the candidate or for prejudicially affecting the election of any candidate. It is also not the averment in any part of these sub-para's that the result of the election in so far as it concerns the returned candidate has been materially affected. In sub-para's (iv), (v) and (vi), there is a reference of the playing of the tape recorded speeches of Sadhvi Ritambhara. Speeches are alleged to have been delivered by the returned candidate and Chief Minister Shanta Kumar at Tavnidevi, Daulatpur Chowk and Kandaur on 5th May, 1991, 13th May, 1991 and 16th May 1991, respectively. It is also alleged that both respondent No. 1 and Shanta Kumar took in the line of the speech of Sadhvi Ritambhara and made an appeal to the voters.

In case, a reference has been made to the tape recorded speech of Sadhvi Ritambhara, in the absence of quoting the speech, alleged to have been made or alleged to have been played, it can safely be said that the material fact is not stated. The objection of the learned counsel for respondent No. 1, while making submissions under Issue No. 4 and Issue No. 1 was that the cassettes relied upon have neither been filed nor copies supplied to the respondents. While deciding those

issues, it has been held that since cassettes have not been produced in the Court alongwith the petition, non-production thereof will not affect the maintainability of the petition, but the effect of non-production has to be seen in case the cassettes become an integral part of the petition.

In view of the allegations made in the three sub-para's aforementioned, wherein reliance is placed on the speech of Sadhvi Ritambhara in support of the allegation of corrupt practice of appealing to the voters on the ground of religion, the speech being a part of the pleading, non-filing of the cassettes and non-supply thereof to the respondents as also not quoting verbatim the speech of its extract there will be incomplete allegations in support of the charge of corrupt practice. Pleadings thus being deficient to that extent will not be looked into. Excluding the averments as regard the speech of Sadhvi Ritambhara, alleged to have been played, the facts pleaded, which remain are the addresses of Shanta Kumar, Chief Minister and those of respondent No. 1. It is pleaded that Shanta Kumar took in the line of the speech of Sadhvi Ritambhara and affirming the same, appealed to the voters on the ground of religion. In the absence of exact nature and content of speech, the manner in which the electors were appealed on the ground of religion, the allegations will be incomplete. There is no allegation that appeal was on the ground of candidate's religion. In view of the principles laid down in Nihal Singh's and Azhar Hussain's cases (Supra) that the pleadings in regard to matters where there is scope for ascribing an alleged corrupt practice to a returned candidate in the context of meeting of which essential and material particulars are not given would tantamount to failure to incorporate the material facts and that in as much as that witnesses could be procured to the context of meeting, of the nature of speech for adducing evidence, which in fact is absolutely prohibited. Speech of Sadhvi Ritambhara is not the speech for which Annexure P-14 is the transcript since such speech is alleged to have been made on 16th May, 1991, whereas allegations in four sub-para's are referable to anterior dates. Averments to the speech of Sadhvi Ritambhara being an essential part of pleading, upon which is dependant the appeal alleged to have been made either by the candidate or the other persons, including Chief Minister Shanta Kumar, without actually quoting the said speech or essential portion thereof, the averments suffer from lack of material facts and, as such, the pleadings are wholly deficient and disclosing no cause of action.

The allegations made in para 21 are of a general nature and have a reference to the previous two paragraphs, namely, paras 19 and 20, by pleading that the effect of the aforementioned allegations was that several voters of the constituency, on the ground of promotion of feelings of enmity and hatred between different classes of citizens on the ground of religion and on account of appeal on the ground of caste and religion voted for the returned candidate and refrained from voting in favour of the petitioner. It had the effect of furthering the prospects of the returned candidate and prejudicially affecting the election of the petitioner. It had also the effect of promoting and attempting to promote feelings of enmity and hatred. Names of 56 persons from various parts of Districts Hamirpur, Bilaspur and Una have been mentioned stating that these persons had voted in favour of respondent No. 1 and did not vote for the petitioner.

On a bare reading of this para. It can be inferred that the petitioner has merely reproduced verbatim sub-section (3) and (3-A) of Section 123 without further explaining or alleging as to in what manner the so called appeal had the effect of furthering of the prospects of election of the returned candidate or prejudicially affecting the election of the petitioner. The petitioner is also not clear or categorical in his stand as to whether there was actual promotion or attempt to promote feeling of enmity and hatred. In sub-section (3-A), (a) promoting of, or (b) attempting to promote are the two different heads of corrupt practice. Averment has to be specific without being vague in any manner so as to give the opposite party a chance to meet the same specifically. Charge of corrupt practice in an election trial is of a quasi-criminal nature and has to be specifically alleged. The allegations made in para 21, in isolation cannot be made applicable to each and every sub-para of para 19(ii) and 20 of the petition. Every allegation made in various sub-para's in itself is a separate allegation of corrupt practice and with respect to each

sub-para or allegation made therein, the material facts are required to be pleaded. In the opening part of para 19 and in para 21 by making allegations of a general nature, the same cannot be made applicable in each and every sub-para, since nature of each allegation is separate and distinct. What would be a material fact for a particular corrupt practice under the provisions of the Act for declaring the election void is dependent upon the facts and circumstances as also the nature of each case and surrounding circumstances.

Having considered the entire petition, on the whole an impression is gathered that there must be some cause of action disclosed for taking the petition for trial on merits, put on a close scrutiny, the entire petition discloses no cause of action. It suffers from lack of material facts and the cause of action pleaded is totally incomplete with respect to the various grounds. No doubt, an election petition normally deserves to be and should be tried on merits, provided it discloses cause of action, but when on a closer scrutiny, material facts of the alleged corrupt practice(s) are not furnished and it does not disclose any cause of action, the other allegations in the absence of complete cause of action pleaded may be of a serious nature, it must be dismissed in limine. The approach of the Court, while dealing with a petition questioning the election of the returned candidate should be as noticed in Azhar Hussain's case (supra) :

"In a democratic polity 'election' is the mechanism devised to mirror the true wishes and the will of the people in the matter of choosing their political managers and their representatives who are supposed to echo their views and represent their interest in the legislature. The results of the Election are subject to judicial scrutiny and control only with an eye on two ends. First, to ascertain that the 'true' will of the people is reflected in the results and second, to secure that only the persons who are eligible and qualified under the Constitution obtain the representation. In order that the 'true will' is ascertained the Courts will step into protect and safeguard the purity of Elections, for, if corrupt practices have influenced the result, or the electorate has been a victim of fraud or deception or compulsion on any essential matter, the will of the people as recorded in their votes is not the 'free' and 'true' will exercised intelligently by deliberate choice. It is not the will of the people in the true sense at all. And the Courts would, therefore, it stands to reason, be justified in setting aside the election in accordance with law if the corrupt practices are established. So also when the essential qualifications for eligibility demanded by the constitutional requirements are not fulfilled, the fact that the successful candidate is the true choice of the people is a consideration which is totally irrelevant notwithstanding the fact that it would be virtually impossible to re-enact the elections and reascertain the wishes of the people at the fresh elections the time scenario having changed. And also notwithstanding the fact that elections involve considerable expenditure of public revenue (not to speak to private funds) and result in loss of public time, and accordingly there would be good reason for not setting at naught the election which reflects the true will of the people lightly. In matters of election the will of the people must prevail and Courts would be understandably extremely slow to set at naught the will of the people truly and freely exercised. If Courts were to do otherwise, the Courts would be pitting their will against the will of the people, or countermanning the choice of the people without any object, aim or purpose. But where corrupt practices are established the result of the election does not echo the true voice of the people. The Courts would not then be deterred by the aforesaid considerations which in the corruption scenario lose relevance. Such would be the approach of the Court in an election matter where corrupt practice is established. But what should happen when the material facts and particulars of the alleged corrupt practices are not furnished and the petition does not disclose a cause of action which the returned candidate can under law be called upon

to answer ? The High Court has given the answer that it must be summarily dismissed....." No other point was urged or agitated.

In the result, as per above discussions, while answering Issues No. 2 and 3 in affirmative, the Election Petition is liable to be dismissed as disclosing no triable cause of action. Having come to this conclusion, the appropriate order which deserves to be passed in this case is not the dismissal of petition as such, but rejection thereof within the ambit of Order 7 Rule 11 of the Code.

Consequently, the petition is rejected. The petitioner shall pay the costs to respondent No. 1, quantified at Rs. 5,000/-.

Sd/-

DEVINDER GUPTA, Judge

11th December, 1992.
(misra/tr)

नई दिल्ली, 20 जनवरी, 1993

घा. घ. 44:-लोक प्रतिनिधित्व अधिनियम, 1951 (1951 का 43) की धारा 106 के अनुवर्ण में निर्वाचन घापीग 1991 की निर्वाचन प्रती सं 4 में जिसमें 33-औरंगाबाद, संसदीय निर्वाचन-क्षेत्र से लोक सभा के लिए श्री मोरेश्वर सावे के निर्वाचन को प्रश्नगत किया मुख्य उच्च न्यायालय (औरंगाबाद पीठ) के तारीख 16 अप्रैल 1992 के निर्णय को इसके द्वारा प्रकाशित करता है।

(संसदन निर्णय अंग्रेजी में छपा है)

[सं. 822/महा. लो.स. (4/91)92]

प्रारंभ से,

बलवंत सिंह, सचिव।

New Delhi, the 20th January, 1993

O.N. 44.—In pursuance of Section 106 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission of India hereby publishes the judgement dated 16th April, 1992 of the High Court of Judicature at Bombay (Aurangabad Bench) in Election Petition No. 4 of 1991, calling in question the election of Shri Moreswar Save to the House of the People from 33-Aurangabad Parliamentary Constituency.

[No. 822/MT-HP(4/91)92]

By Order,

BALWANT SINGH, Secy.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

Election Petition No. 4 of 1991

1. Dwarkadas S/o Yeshwantrao Pathrikar.-
Petitioner.

Versus

1. Shri Moreswar Save.—Respondent.

Shri V. B. Chatge, Shri S. K. Kadam and Shri B. N. Patil, Advocates for the Petitioner.

Shri S. C. Bora and Shri B. T. Sheth, Advocates for the Respondent.

CORAM : A. A. HALBE, J.

APRIL 16, 1992.

JUDGMENT :

This Voter's petition is aimed at unseating the Respondent, who is the returned candidate at the last

Parliamentary Election from 33 Aurangabad Lok-sabha Parliamentary Constituency, on the ground that the Respondent indulged in corrupt practices under Section 123 (3) and (3A) of the Representation of People Act, by canvassing for votes on the grounds of religion as well as by promoting hatred between two classes of citizens, namely Hindus and Mohammedans.

2. The petitioner is a registered voter at Sr. No. 35 in the above parliamentary constituency. He was elected as the Zila Parishad Member in the year 1973 and in 1976 he was elected as Vice-President of the Zilla Parishad, Aurangabad, and in the year 1977 he was elected as the President of Zilla Parishad, Aurangabad. The above parliamentary election was fixed under the programme which can be stated as follows.

The nomination papers were to be filed on 26th April, 1991, the scrutiny thereof was to take place on 27th April, 1991, voting was changed from 23-5-1991 to 12-6-1991 on account of the assassination of late Prime Minister Rajiv Gandhi, the voting took place on 12th June, 1991, the counting of the votes started on 16th June, 1991 and the results were declared on 17th June, 1991 and the Respondent was declared elected as he secured highest number of votes, namely, 2,35,859 votes, whereas his immediate rival Dr. Rafiq Zakeria secured 1,55,440 votes, to be followed by the Congress candidate, Prof. Mohan Deshmukh, securing 1,44,555 votes.

3. The Respondent was the candidate of Shivsena Party and was sponsored by Shivsena-Bhartiya Janata Party Alliance and was allotted symbol of 'Bow and Arrow'. The petitioner has further contended that the leaders of Shivsena, namely, Balasaheb Thackrey—the President, Manohar Joshi—Member of Legislative Assembly, Maharashtra State and Chagan Bhuibhal—Member of the Legislative Assembly, Maharashtra State, canvassed on behalf of the Respondent and during their speeches in furtherance of the election campaign they clearly solicited votes on the ground of Hindu Religion, their speeches further indicated that they intended to promote hatred between Hindus and Mohammedans. This was done essentially to strengthen the chances of success of the Respondent at the above Parliamentary Election.

4. Coming to the particulars of the corrupt practices, the petitioner has stated that the main thrust of the speeches of the above leaders was that the Hindus should unite, the Hindu religion was in danger in the State, wherein in fact, Hindus are in absolute majority. The challenge was posed by the minority specially the Muslims to whom the Ruling party was wooing. It was also the emphasis in those speeches that India could only survive on the basis of Hindutwa. Three meetings were held on which reliance has been placed by the petitioner to prove the allegations under section 123 (3) and (3A) of the Representation of People Act (hereinafter referred to as 'the R. P. Act'). Manohar Joshi conducted meeting at Bidkin and again at T. V. Centre CIDCO, Aurangabad, whereas Shiv Sena Supreme Balasaheb Thackrey delivered the election speech at Sanskrutik Mandal, Aurangabad,

Manohar Joshi spoke on 6th May, 1991 at the above places, namely Bidkin and thereafter T.V. Centre, CIDCO, Aurangabad, and the meeting went on beyond the midnight. Balasaheb Thackrey spoke at the Sanskrutik Mandal on 12-5-1991, and in this speech, Aurangabad has been referred as 'Sambhajinagar', the name which was given to this city during Maratha Rule, but the name obliterated by the Mugal Rulers.

5. In the Daily Tarun Bharat newspaper, which is the mouth-piece of Shivsena-B. J. P. Alliance, the reports of this meeting addressed by Manohar Joshi were published. At Bidkin, which is within the parliamentary constituency, Aurangabad, Manohar Joshi spoke with the full knowledge and consent of Respondent and as indicated, the report of the speech appeared in Deogiri Tarun Bharat on 7-5-1991. The said report is accompanied by the Photograph, wherein presence of Respondent is clearly seen. Manohar Joshi stated that candidate of B.J.P.— Shivsena belongs to Hindutwawadi and that there was move of Hinduism or Hindutwawad throughout India and not only in Maharashtra. The only subject in the minds of the people was Shriram. He further stated that B.J.P.— Shivsena were sowing the thought of Hindutwa.

6. In the 'Ajitha' news paper dt. 12th May, 1991 there was an advertisement that there was a election meeting to be addressed by Balasaheb Thackrey on the same day i.e. on 12th May, 1991 at 7.00 p.m. at Marathwada Sanskrutik Mandal. The said meeting was between 8 to 11 p.m. and the report thereof appeared in the said paper daily Marathwada on 13th May, 1991. In the said meeting, Balasaheb Thackrey canvassed the idea that a staunch Hindu Supporter (Hindu Fundamentalist) should only become the next Prime Minister. He further spoke that Hindus should unite and by taking saffron flag march forward with the slogan Har Har Mahadeo. He further spoke that Hindutwa was not the wave but it was the breath of the nation and if that breath was to stop, the nation would cease to exist. Hindutwa is the third eye of Lord Shankara and if it opens it will reduce everything to ashes. He also spoke several such things, which preached hatred between the Hindus and Mohammedans. The Respondent was present at the said meeting and thus all what Balasaheb spoke was with the knowledge and consent of the Respondent. The photograph of meeting has appeared in Daily Samna newspaper, dt. 15th May, 1991. Samna is the mouthpiece of the Shivsena and the Editor of this paper is Balasaheb Thackrey. The audio cassette of the speech of Balasaheb Thackrey on 12th May, 1991 was freely available at various shons. The petitioner submitted that tape of the speech, in the Court.

7. There are allegations in relation to the speech by Chagan Bhuibhal, who is said to have held meeting on 7th June, but during the course of evidence, nothing has been adverted to about the speech by Chagan Bhuibhal. The learned advocate for the petitioner has contended that he does not rely on the speeches of Chagan Bhuibhal and naturally, therefore, the relevant paragraphs relating to the speech and report of the speech by Chagan Bhuibhal are not referred to.

8. It must also be mentioned that the petitioner has not relied on the advertisement or the poster advertisement about appeal to the voter to vote in favour

of the Respondent. Hence, the details thereof are also not referred in this petition.

9. The petitioner has thus contended that the Respondent solicited votes on the grounds of Hindu Religion. He also promoted hatred between Hindus and Mohammedans, through the above propaganda speeches delivered by Manohar Joshi and Balasaheb Thackrey, the leaders of Shivsena, the latter being addressed as 'Sirsenapati'. This act on the part of the Respondent amounts to corrupt practice under section 123 (3) and (3A) of the R. P. Act, and hence the petitioner is guilty of those practices and is liable to be unseated under the declaration that his election to the above Parliamentary Constituency is null and void.

10. The Respondent, in his written statement, dated 17th February, 1992, has raised some preliminary objections. The allegations in various paragraphs have also been denied in this written statement. By way of preliminary objections, it is stated that the petitioner is not shown to be the elector or the candidate for election in the above Constituency, and this should entail the dismissal of the petition under section 81 of the above R. P. Act. It is also stated that the allegations of corruption are not accompanied by necessary affidavit in the prescribed form as required by proviso to sub-section 1 of Section 83 of the R. P. Act. There is also the violation of Rule 94-A of the Conduct of Election Rules nor is the proper compliance of Form No. 25 in regard to the affidavit which has to be sworn before the Magistrate of the First Class or the Public Notary or a Commissioner of Oaths has been done. Since the affidavits are not before the designated Authority the petition is liable to fail as there are no legal pleadings in relation to the corrupt practices as required under the Election Law. The Audio Cassette referred in the election petition about the speech by Balasaheb Thackrey on 12th May, 1991, although tendered in the Court, the copy thereof has not been served on the Respondent. The allegations regarding the corrupt practices are also vague, irrelevant and for all these reasons, the petition is liable to be dismissed under order 7 Rule 11 of the Civil Procedure Code r/w Sections 81, 83 and 86 of the R. P. Act.

11. About the merits, the Respondent has stated that the petition does not disclose any cause of action. Indeed, the details of the election programme, the results of the election, the fact that the Respondent is a Shivsena candidate, have not been disputed by the Respondent. It is further briefly stated that the Respondent never committed any corrupt practices either himself or at the instance of or with the assistance of Balasaheb Thackrey, Manohar Joshi and/or Chagan Bhuibhal. The allegation thereof are not true. It is further stated that the Respondent never appealed to anyone in particular and to public in general on the basis of any Religion. He never spoke nor propagate that India can only survive on the basis of Hindutwa. The allegations in this regard in the petition are totally baseless and deserve to be struck down. He has also stated that Sambhalinagar was never referred to in the background that the said name was changed by

Mohammedans to Aurangabad. Regarding the paper report in Deogiri Tarun Bharat, it is stated that the Respondent does not admit the news about the recorded speech. He has also denied the reports in the paper relating to meeting held on 6th of May, 1991 by Manohar Joshi. According to him, no such meeting was held and that he did not attend any such meeting both at Bidkin and T. V. Centre CIDCO, Aurangabad. The interpretation put on the speech by Manohar Joshi is totally incorrect and untrue. Regarding the meeting by Balasaheb Thackrey, it is stated that the report thereof in Marathwada paper of 13-5-1991 was totally false and misleading and that Respondent was not present at the said meeting. No such meeting was held in the manner indicated in the petition. He has further stated that no speech of Balasaheb Thackrey was recorded on Audio cassette on 12-5-1991 and that Respondent was not aware whether such Audio Cassettes were available at various shops at Aurangabad or elsewhere. He has lastly stated that the so-called reports, so-called allegations involving the corrupt practices which were never committed by the Respondent were feable and for all these reasons, the Respondent, prayed for dismissal of the petition. He further prayed for exemplary costs of Rs. Five thousand from the petitioner.

12. On these pleadings, issues were framed at Ex. 11.

ISSUES

- (1) Whether petitioner proves that the respondent, his workers and Shivsena party leaders solicited votes on the ground of religion and promoted hatred between two classes of citizens?
- (2) Whether petitioner proves that Manohar Joshi, Shivsena worker with the consent of the respondent solicited votes on the ground of religion and promoted hatred between two classes of citizens in his election meeting dated 6-5-1991 at Bidkin, as detailed in paras. 7, 8, 9 and 10?
- (3) Whether petitioner proves that Manohar Joshi also solicited votes on the same above ground in his meeting at CIDCO T. V. Centre, Aurangabad, on 6-5-1991, as detailed in para 11?
- (4) Whether petitioner proves that Balasaheb Thackrey, the Shivsena leader with the consent of the respondent solicited votes on the ground of religion and also promoted hatred between two classes of citizens in his election meeting on 12th May, 1991, at Marathwada Sanskrutik Mandal, Aurangabad, as detailed in paras 12 to 14?
- (5) Whether the petitioner proves that Chagan Bhuibhal, Shivsena worker also solicited votes on the same grounds in his election

meetings at Aurangabad, Adul, Fachod and Paithan, on 6-6-1991, as detailed in para 15 of the Election Petition ?

- (6) Whether the petitioner proves that respondent solicited votes on the same grounds in his election posters at Exhs. 'C', 'H' and 'I' ?
- (7) Whether petitioner proves that the respondent is guilty of corrupt practices under Sections 123 (3) and (3A) of the R. P. Act ?
- (8) & (9) As per final order.

tion of respondent to Parliament from Parliamentary Constituency No. 33-Aurangabad, is liable to be set aside ?

- (9) What orders ?

My findings thereon are :

- (1) Yes.
- (2) Yes.
- (3) Yes.
- (4) Yes.
- (5) Not proved.
- (6) Not proved.
- (7) Yes.

- (8) & (9) As per final order.

13. At the outset, it will have to be stated that the Respondent filed about five applications at Exhs. 5, 6, 7, 8 and 9, Ex. 5 was to the effect that averments relating to corrupt practices disclose no cause of action and that the allegations were vague, irrelevant and unnecessary, and the petition was liable to be dismissed under Order 7 rule 11 C.P.C. f/w Sections 81, 83 and 86 of the R.P. Act. Application Ex. 6 has been in regard to the copy of the Audio cassette of the speech delivered by Balasaheb Thackrey. Ex. 7 was in relation to the contention that petitioner was not shown as the elector in the above constituency. Ex. 8 was in regard to the affidavit in Form 25 under 94-A of the Conduct of Election Rules, wherein the specific contention was that the affidavit was not sworn before the Commissioner of Oaths or any other designated authority. Ex. 8 was thus in regard to the form of the affidavit in Form 25 under Rule 94-A of the Conduct of Election Rules. Ex. 9 is regarding the objections raised in the above applications to be treated as preliminary points. Those applications were taken as preliminary points and in the order Feb. 3, 1992, all these applications have been rejected. It was found that the petitioner was the registered voter at Sr. No. 35. That the copy of the cassette was already tendered in the Court, that the verification before the Senior Superintendent was verification before the Commissioner of Oaths. Regarding the form of affidavit, the view of the Supreme Court reported in AIR 1991 Supreme Court 1557, (Sapa Vs. Singora) was taken into consideration and it was thus found that the affidavit was properly sworn; that the particulars of

corrupt practices were properly narrated, that distinction had to be observed between the material facts and the necessary particulars and for all these reasons, those applications were rejected.

14. It would be, therefore, proper to turn to the main evidence. The petitioner, in order to prove the speech delivered by Manohar Joshi at Bidkin has examined (PW 6) Nanehekhan Culabkhan at Ex. 25, (PW 7) Umesh Deshpande at Ex. 26, (PW 8) Ramchandra Runjaji Narwade at Ex. 29, (PW 12) Photographer Conde at Ex. 36. Deshpande is the reporter in Deogiri Tarun Bharat, who had covered the meeting of Manohar Joshi at Bidkin.

15. Regarding the meeting at T. V. Centre addressed by Manohar Joshi, the petitioner has examined (PW 3) Sopanrao Phuse at Ex. 20, (PW 7) Umesh Deshpande at Ex. 26, the reporter in Deogiri Tarun Bharat paper, and (PW 12) Photographer Gonde.

16. Regarding the meeting by Balasaheb Thackrey the petitioner has examined himself at Ex. 14, (PW 2) Bhalerao, the Chief Reporter of Mahathwada Daily at Ex. 18, (PW 4) S. S. Khandalkar, the Chief Reporter of Daily Lokmat at Ex. 21, (PW 9) Bhaurao Muley at Ex. 30, (PW 10) Suresh Vithalrao Kuler at Ex. 31 and (PW 11) Police Constable Bhivrao Gavate, who recorded the speech of Balasaheb Thackrey on the cassette under the instructions from Police Officers. Muley is the reporter of Ajantha paper.

17. It will have to be observed that no evidence has been led so far as the speech by Bhujbal is concerned, no evidence has been led on behalf of the petitioner in regard to the poster advertisements and hence the scope of the election petition boils down to the allegations of corrupt practices in the above three meetings, two addressed by Manohar Joshi and the third by Balasaheb Thackrey.

18. The first grievance which has been made by the learned advocate for the Respondent is that the Respondent was never present at any of the meetings, if at all he was present, Respondent never consented nor connived at the speeches of Balasaheb Thackrey or Manohar Joshi, and that the petitioner had failed to prove the consent or connivance on the part of the Respondent and the petition is therefore, liable to be dismissed on that count alone. It has been rightly countered by the learned advocate for the petitioner that even the Respondent admits that he belongs to Shivsena, that he is the Shivsena candidate, that Balasaheb Thackrey, Manohar Joshi are the leaders of Shivsena, they are more or less pioneer members of this organization, which is the registered political party and hence in view of the ratio laid down by the several Courts implied consent shall have to be inferred from the speeches rendered by the above leaders during the election campaign of Respondent.

19. It should be observed that the election petitions are in the nature of charge-sheet against the elected candidate.

In AIR 1970 Supreme Court 1477, in the case of D. P. Mishra Vs. K. M. Sharma, it is observed by the Supreme Court that in an election petition a corrupt practice may be proved only by evidence beyond reasonable doubt. In AIR 1970 Supreme Court 1841, in the case of Guruji Shrihari Baliram Jiwtode Vs. Vithalrao, the Court observed that burden lies on party alleging corrupt practice to prove every ingredient of it. In AIR 1976—Supreme Court, in the case of D. Venkatarreddi Vs. R. Sultan, it is laid down that the allegations of corrupt practices being in the nature of quasi criminal charge, the same must be proved beyond any shadow of doubt. The same view has been reiterated by Supreme Court in its subsequent Rulings reported in AIR 1991—Supreme Court 1557, in the case of (Sapa Vs. Singora) and hence the ratio which is of binding nature is that election petition involving the allegations of corrupt practices under section 123 of Representation of People Act must be proved beyond reasonable doubt. Taking advantage of this legal position it has been vehemently contended on behalf of the respondent that the petitioner has miserably failed to prove consent on the part of the Respondent. He has not been able to bring home the guilt about the corrupt practices charges and the petition, therefore, is liable to be dismissed. This argument shall have to be examined with reference to the evidence and the several documents tendered by the parties, more particularly, the petitioner, in support of the petition.

20. The other aspect which also needs reference is that undisputably respondent No. 1 is the sponsored candidate of Shivsena party at the last Assembly Elections. The said party is a registered political party and the allegations are that various leading figures of Shivsena party propagated on behalf of the party nominee, which include respondent. Obviously, therefore, according to the learned advocate for the petitioner that whatever corrupt practices are alleged and reproduced in election petition shall be deemed to have been committed by the respondent no. 1, if it is shown that the party leaders canvassed for respondent no. 1 on the plank of religion and also with a view to promote hatred between Hindus and Mohammedans. The nature of consent will have to be inferred if that is a situation. When prima facie, it can be held that respondent no. 1 was backed by various witnesses of Shivsena, as mentioned in Part III, the presumption will follow that they canvassed on behalf of the respondent although none of them happens to be his election agent. In the written statement, filed by respondent no. 1 he has no disputed this position. All that is being stated by him, is that whatever those persons spoke for the purposes of canvassing for respondent no. 1, they put forth their own views and the same, therefore, cannot be foisted on respondent no. 1. In this behalf, the learned advocate for the petitioner has drawn my attention to the following Rulings, which clearly spell out that when a political party sponsors a candidate, the speeches of the leaders shall be deemed to have been made with the consent of the party. In that behalf he has cited 16 Election Law Reporter, in the case of Trilokchand Vs. Shivraniwati Nehru. That was an election petition decided by Election Tribunal Lucknow. The observations are pertinent. "It is a well settled principle of law of agency in elections that

if a candidate has been set up by party, the party itself as well as permanent members must be held to be his agents, because by agreeing to stand as candidate of a party, he must agree with the party and its permanent workers, working to promote his party. In such a case privity between the candidate and the party shall have to be presumed and the candidate cannot lightly escape from the responsibility attached to the acts of the other members, who work as agents on the ground that he did not consent to speeches given by the members.

21. The principle, that can be enunciated with all certainty is that if a candidate is adopted by political party or any organization which makes common cause with him, and if the candidate takes advantage of its machinery in furtherance of his prospects in the election, he is responsible for the acts of either permanent members or the party. This legal proposition is reiterated in subsequent Rulings.

In AIR 1959 Asam 200, in the case of Nami Gopal Swami Vs. Abdul Hamid Choudhary and Anr., the High Court observed that any association of persons or society or political party and its permanent members, who set up a candidate sponsored his cause and work to promote his election may aptly be called as the agent of the candidate for election purposes. In such a case direct evidence of consent will not be available. Agency, however, should be deemed to have established by virtue of the fact that the candidate is baptized by the political party. He is impliedly introduced as the sponsored candidate by the members. The same ratio is confirmed in AIR 1961 Rajasthan 122, in the case of Inder Lal Vs. Lal Singh and Others. The Court observed that where the members of the party commit corrupt practices, the Tribunal shall assume that the returned candidate was guilty of corrupt practices by his agent and declare the election void. It is indeed true that in AIR 1969—Supreme Court 1201, in the case of Samant N. Balkrishna Vs. Fernandez, the Supreme Court reiterated the general duty cast on the election petitioner that the corrupt practices must not only be established, but must be proved to have been committed with the express consent of the candidate or his election agent. On going through the judgment, the Court in Para 47 of the judgment referred to the settled principles of law that consent may be inferred from circumstantial evidence, but the circumstances must unerringly point to the conclusion of the corrupt practices being committed by the candidate or his agent. This is, therefore, the legal background which will have to be borne in mind while examining the allegations of the corrupt practices. For that purpose, the pleadings in the written statement of the Respondent also appear to be relevant.

22. From whatever has been led on behalf of the petitioner, it is crystal clear that the petitioner relies on three speeches two delivered by Manohar Joshi in the night between 6th and 7th May, 1991, at Bidkin and T.V. Centre, Aurangabad, and one by Balasahab Thackrey, who is acknowledged Supreme of Shivsena Organisation, on 12-5-1991 at Sanskrutik Mandal Ground, Aurangabad. It would be also evident from

the evidence of Respondent at Ex. 38 that these meetings did take place and that speeches were delivered by Manohar Joshi and Balasaheb Thackrey, but the only suggestion is that Respondent attended all these meetings late—practically at the concluding stage and that the Respondent could not gather what was spoken. He has deposed that he did not get chance either to know about the proposed speeches in advance and that he did not also get any other opportunity to openly disown all these three speeches. The scope of enquiry, therefore, boils down to these three speeches, to the details of which, I shall come while dealing with each speech separately. At the cost of repetition it will have to be observed that the speech relied upon by Bhujbal—another Shivsena leader has not been relied upon or even proved by the petitioner. Another piece of evidence, namely, the posters alleged to be issued showing canvassing in the name of Hindu Gods have also not been proved.

23. The petitioner has examined as many as 12 witnesses. Out of them (PW 1) Dwarkadas Yeshwant-rao Pathrikar at Ex. 14, (PW 2) Nishikant Bhalerao at Ex. 18, (PW 4) S. S. Khandalkar at Ex. 21, (PW 9) Bhaurao Tatyarao Muley at Ex. 30, (PW 10) Suresh Vinhalrao Kuber at Ex. 31, (PW 11) Bhivrao Sampatrao Gawate at Ex. 32—the Police Head Constable, have been examined in connection with the speech of Balasaheb Thackrey on 12-5-1991 (PW 2). Bhalerao is the Chief Reporter of Marathwada news paper, (PW 4) Khandalkar is the Chief Reporter of Lokmat news paper, (PW 9) Muley is also the Chief Reporter of Ajantha news paper and through these witnesses serious attempt has been made to establish the contents of the speech. To begin with the evidence of Nishikant Bhalerao, who is undisputably the Chief Reporter of Marathwada newspaper, it is being sought to be established that he has attended the meeting of Balasaheb Thackrey and had issued the report, which is to be found at Ex. 19, the copy of the Marathwada newspaper. He has stated that as the Chief Reporter he has covered this meeting, which was held at Sanskrutik Mandal Ground, Aurangabad, where eminent local leaders of Shivsena were present and the Respondent was also present. Marathwada newspaper has wide circulation throughout the districts of Marathwada Region. He has tendered the copy of the paper as stated above at Ex. 19, wherein there is a photograph of Balasaheb Thackrey. As a Reporter, he has reserved his opinion on the speech of Thackrey. In the cross-examination, he has stated that he has tried to reproduce almost all the contents of the speech or atleast Highlights of the speech. The practice in the publication of news is that Reporter takes down the notes in the small diary, prepares the speech out of it and submits the same to the news editor, who publishes the same in the issue of the news paper. There is no reason to discard the testimony of Bhalerao, who has no bias for any party and who has really no reason either to exaggerate or to waterdown the speech by Thackrey. He has stated that the written notes are destroyed after the period of about three months. It must be said that merely because the original notes have not been produced, the contents of the report containing news-paper Ex. 19 cannot be discarded. He has admitted that the report which has appeared in the paper Ex. 19 is the faithful account of what he has

reported for publication. As a Chief Reporter, he had really no animus against the Respondent nor is he shown to be friendly towards Congress Party either. He has adverted to the presence of the Respondent at this meeting. Petitioner relies on this report Ex. 19—Marathwada Paper to prove the contents of the speech.

24. The other witness in support of this speech is (PW 4) S. S. Khandalkar at Ex. 21. He had also covered the speech of Balasaheb Thackrey on 12-5-1991. He has stated that Respondent was also present along with other Shivsena leaders. In the cross-examination, he has admitted that no notes are available because under the usual practice, the notes are destroyed after the stipulated time. It cannot be lost sight of that the speech took place in the month of May, 1991, in earlier part of May, this witness has appeared for deposition practically at the end of March, 1992. In pursuance of the practice, notes are destroyed and this seems probable because retention of notes for indefinite period may not be physically possible. These notes, if stored, in the place, may occupy the space of the Press and that storing may prove to be uneconomical for the Press. In every Organization, old papers are destroyed after a stipulated period and in keeping with this practice, if notes are destroyed, it cannot be said that non-production of notes should persuade the Court to disbelieve the evidence of the Reporter, more particularly when the Reporter is not shown to be friendly with any of the parties. Keeping this principle in the background, the evidence of Khandalkar, so far as the newspaper report is concerned, has to be accepted as truthful. His report is to be found at Ex. 22. The learned advocate for the petitioner has contended that he does not rely on this report as the integral part of the petition, because the allegations regarding the corrupt practices have been produced in the transcription of the cassette and also in the newspaper Marathwada. It will have to be emphasized that even Khandalkar speaks about the presence of Respondent at the meeting.

25. The third witness is Bhaurao Tatyarao Muley who is also the Reporter of Ajantha paper and the same is at Ex. 31. He was also deposed that he had covered this meeting where the Respondent was present and whatever he has reported in connection with the speech of Thackrey has been fully reflected in the report at Ex. 31 in the Ajantha News Paper of 13th May, 1991. In the Cross-examination, Muley has denied that it would not be true to say that the Respondent was not present.

26. The learned advocate for the Respondent has vehemently contended that the petitioner has not supplied the copies of reports published in the Lokmat paper at Ex. 22 and Ajantha at Ex. 21. No copies are annexed to the petition. To this, reply by the petitioner is that these reports have not been relied upon as the integral part of the petition. All that is sought to be established to recent these two witnesses is that Balasaheb Thackrey did deliver the speech and that the reports appeared in the newspaper. This situation has been resolved by the Supreme Court in AIR 1991 Supreme Court 1557, in the case of F.R. Saps

Etc. Vs. Singora and Others, wherein the Court has said that .

"If a document does not form an integral part of the election petition but is merely referred to in the petition or filed in the proceedings as evidence of any fact, failure to supply a copy thereof will not prove fatal. Therefore, the maintainability of an election petition, in the context of the point on hand will depend on whether the schedule or annexure to the petition constitutes an integral part of the election petition or not. If it constitutes an integral part it must satisfy the requirements of Section 81(3) and failure in that behalf would be fatal. But if it does not constitute an integral part of the election petition, a copy thereof need not be served along with the petition to the opposite party. Much would, therefore, depend on whether the schedule or annexure was an integral part of the election petition or not, if the former failure to serve it along with the petition to the returned candidate would be fatal but not so in the latter case."

The witnesses list was furnished to the Court long before the examination of these witnesses. These witnesses were not objected to by the Respondent, neither at the stage of citation of their names nor at the time of their examination. The copies of the papers are furnished to the Respondent and hence I feel that merely because the copies were not annexed to the petition, there cannot creep in any legal infirmity to discard the evidence of these Reporters. The contents in the report of Bhalerao have been relied upon by the petitioner, whereas the reports of Lokmat and Ajantha papers have been relied upon by the petitioner, to establish the fact that the speech was delivered by Thackrey at Sanskrutik Mandal in the evening hours of 12-5-1991.

27. Now, so far as the news reports are concerned, there is a settled law that the speeches can be proved by the person who delivered the speech or in the alternative by the person who has recorded the speech.

28. So far as the newspapers are concerned, it will be noticed that under section 81 of the Evidence Act, the news papers when produced shall be presumed to be a genuine documents. In AIR 1930 Lahore Pq. 371, in the case of Ram Chandra Vs. Emperor, it is held by the High Court that there is a presumption under Section 81 of the Evidence Act about the genuineness of the specimen of the news paper actually produced. One specimen of a news paper is not a copy of another, each paper is the counter-part of the original and each is a primary evidence of contents of the rest.

29. In AIR 1971 Calcutta 53, in the case of Narayan Choudhary Vs. Radha Gobinda Dutta, it is held that although there is a presumption about the evidence under Section 81 of the Evi-

dence Act, statements of facts contained in the news paper is merely hearsay and, therefore, inadmissible in evidence. The above presumption cannot be treated as proof of facts contained in news paper. The evidence of maker of statements as recorded in the news paper is essential.

29. In AIR 1959 Rajasthan 280 in the case of Khilumal Topandas Vs. Arjundas Tulsidas, it is held that a report of the speech made in the news paper is not admissible in evidence to prove the speeches. The party must produce the persons who had made the speeches or the persons in whose presence such speeches were made or the Reporter of the news paper in whose presence the speeches were made and who had sent the report to the news paper.

41. The same view is reiterated in AIR 1961 Punjab 215 in the case of Harbhajan Singh Vs. State of Punjab. The ratio that can be deduced from the above Rulings is that although the news paper is treated as genuine and primary evidence, the contents of the speech shall have to be proved by examining the maker of the speech or the person, who recorded the speech and reported the same to the news paper. In this case, as indicated, both Bhalerao and others have categorically stated that they had covered the meetings, prepared the notes and forwarded the same to the news paper, which had published the reports at Ex. 45.

42. The Supreme Court in a latter Ruling has taken a liberal view of the speeches appearing in the news paper. Considering the impact of Sections 60 and 63 of the Evidence Act, the Supreme Court observed in AIR 1969 Supreme Court 1201, in the case of Samant N. Balkrishna Etc. Vs. George Fernandez and Others that :

"A news item without any further proof of what had actually happened through witnesses is of no value. It is at best a second hand secondary evidence. It is well known that reporters collect information and pass it on to the editor who edits the news item and then publishes it. In this process the truth might get perverted or garbled. Such news items cannot be said to prove themselves although they may be taken into account with other evidence if the other evidence is forcible. A fact has first to be alleged and proved and then news paper reports can be taken in support of it but not independently."

In this view, the Supreme Court has bypassed the required rigidities for proving the contents of the news papers. This view can be applied with all force to the facts of this case. It is to be seen that the paper Reporters who had witnessed the speech had covered the meetings, prepared the report, forward them to the Editor and got them published in the news papers. It is also to be seen that the police witness has also transcribed the speech after recording it in shorthand. Not only

that the entire speech has been recorded in the video cassette proved by Police Constable Gawate. I, therefore, feel that speech at Ex.19 is the faithful and correct recording of speech of Balasaheb Thackrey.

43. The other mode, which has been adopted by the petitioner to prove the speech of Balasaheb Thackrey is by supplying transcription in Marathi of the speech recorded in the cassette. The same is annexed to the petition at Ex. 'F'. Although the petitioner claims to have obtained the transcription from the cassette in his possession and although the same has been tendered, the petitioner has not examined person who recorded the tape, but instead of examined the police witness Gawate, who had recorded the speech. (PW) Gawate at Ex.32 has deposed that he was deputed to record the speech of Balasaheb Thackrey and he recorded it on cassette Ex.35. In the cross-examination, he has stated that he was standing by the side of loud-speaker and that he had noticed the Respondent on the dais. In the cross-examination, it is suggested that no panchanama was recorded when Gawate delivered the cassette to the police officer. However, Gawate has stated that whatever has been recorded is recorded in the cassette, which bears his signature. His voice has been dubbed to show that when the speech of Balasaheb Thackrey began and when the speeches of others also commenced, Balasaheb Thackrey spoke last. The Cassette was heard in the presence of the advocates for the parties and the learned advocate for the Respondent has not been able to dispute that the speech transcribed and attached to the petition at Ex. 'F' is the same speech which was heard on the cassette. It would be also seen that the original cassette which has not been proved also contains the same speech because the transcription thereof is attached to the petition. There is, therefore, nothing to show that the speech at Ex. 'F' is different from the speech recorded on the cassette. Respondent has not been able to dispute this fact and hence it follows that the speech was one and the same although recorded on different cassettes. However, when the cassette was heard only the part of the speech could be deciphered, but not the entire speech. First seven pages of the Marathi transcription annexed to the petition were decipherable in the cassette. Rest of the contents of the speech have not been deciphered and hence the contents could not be gathered. The petitioner, therefore, can rely only on that part of the speech recorded in the cassette, which is decipherable. The learned advocate for the Respondent does not dispute this proposition. The learned advocate for the petitioner has contended that even that part of the speech would show that there was propagation on the ground of religion and propagation so as to promote hatred between Hindus and Mohammedans.

44. So far as the speech recorded in the cassette is concerned, the position of law is that whatever has been recorded in the cassette and duly proved, who recorded the cassette in relation to the relevant fact would be admissible and in that regard the learned advocate for the petitioner has relied on certain Rulings.

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45. So far as the video cassettes are concerned, it has now been settled position of law that tapes can be admitted as evidence of the relevant facts, if the person recording the tape establishes the identity of the voice. So far as video cassettes are concerned even this does not appear to be necessary because there are visuals of the speakers. The persons seeing the video cassettes can see the lip movements of the speakers and the utterances made by the speakers. If lip movement harmonize with the utterances, the question of identification of voice, as required, would pale into insignificance. Now, so far as the tapes are concerned, available case-law can be noted as follows

46. In AIR 1968 Supreme Court 147, in the case of Yusufalli Esmail Nagree Vs. State of Maharashtra, the Supreme Court observed that tape record is admissible piece of evidence. If a statement is relevant and the statement has been accurately recorded on the tape, the time and place and the accuracy of recording must be properly identified. However, since the magnetic tape can be erased, the evidence must be cogent and the Court must be certain that the tape has not been tampered.

47. In AIR 1973 and Supreme Court 157, in the case of R. M. Malkani Vs. State of Maharashtra, it is observed that tape-recorded conversation is admissible provided the conversation is relevant to the matters in issue, that there is identification of the voice and that the accuracy of conversation is proved by eliminating the possibility of erasing the tape-records. It is relevant being a contemporaneous record under Section 8 of the Evidence Act. AIR 1975 Supreme Court 1788, in the case of Ziyauddin Bukhari Vs. Brijmohan Mehra, it is observed that the tape-records of speeches are documents as defined in Section 3 of the Evidence Act and they do not stand on any different footing than the photographs. They are admissible in evidence if the voice of the person is identified, accuracy of what is being recorded is proved and that the subject matter of the record is relevant. The Supreme Court observed that the tape-records are the primary evidence of what was recorded. The transcription can be used to show as to what the transcriber had found at the time of transcription.

While scrutinizing the speech the relevant part thereof can well be relied upon by the petitioner.

48. From the foregoing discussion, it can be safely held that Balasaheb Thackrey delivered speech at Sanskrutik Mandal, Aurangabad, on 12-5-1991, and his speech has been recorded in the above news papers. Ex. t9 is the report by Bhalerao and the same can be relied upon by the petitioner to prove the contents thereof. In order to supplement these documentary evidence, containing the report, the petitioner has examined himself at Ex. 14. The other witness examined in support thereof is (PW 10) Suresh Kuber. The evidence of these witnesses has been assailed by the Respondent on the ground that so far as the petitioner is concerned he is a Congressman, whereas Kuber is the stooge of Dongaonkar, who is Ex. M. P. elected on congress ticket. A note of caution has been struck by Supreme Court in the case of Surinder Singh Vs. Hardial Singh and Ors.

reported in (1985) 1 Supreme Court Cases 91. The Court observed that wisdom lies in rejecting testimony of the witness, where he is shown to be interested or he is shown to be a party worker. The Court observed in following terms, "Merely on the statements of some of the witnesses, who are essentially party workers or supporters, of a charge of corrupt practices cannot be taken as proof. Oral evidence, particularly, coming from tainted source cannot form sole basis of corrupt practices."

Now, if we examine the evidence of (DW 1) Pathrikar, he has stated that he is the voter registered in A'had Parliamentary Constituency and that during the election campaign he has attended the speech of Balasaheb Thackrey. In the cross-examination, he has stated that he was sitting on the terrace of his friend Jaiswal, whose house is close by Sanskrutik Mandal ground. The learned advocate for the Respondent has contended that in one breath Pathrikar states that he heard the speech from the house of Jaiswal and in another breath he states that he was sitting on the terrace of house of Jaiswal at the time of speech. Pathrikar did not make note of the speech. He did not lodge Police complaint. In the cross-examination, he has further, stated that he had attended the meeting of other person and that at the time of hearing of the speech by Thackrey he was sitting at the distance of 500 to 600 ft. from the dais. He spotted Respondent. It will have to be stated that when Pathrikar refers to the contents of the speech, those contents appear to be identical with the report appearing in the news paper. Pathrikar felt that the entire speech of Thackrey was directed to show that Hindus must unite, they must unseat Rajiv Gandhi and the Congress party. The speech was also directed towards criticising the Congress Party favouring Mohammedans who were securing benefits from the Ruling Party. The Hindus were ignored by the Ruling Party. Pathrikar although a Congress worker could have heard the speech of Thackrey. He himself is not shown to be the candidate at the election. It is also not shown by the Respondent that he was actively canvassing for any Congress candidate in the election fray and hence one fails to understand why the evidence of Pathrikar should not be accepted. At one point of time he was President of Zilla Parishad and hence the evidence of Pathrikar cannot be discarded as unworthy merely because he belongs to Congress party. The Supreme Court has said on more than one occasion that evidence of interested witnesses should not be the sole ground to believe the story of the petitioner. I feel that the presence of Pathrikar at the meeting does not appear to be improbable. Pathrikar has stated that Respondent was present on the dais. Balasaheb is said to draw huge crowds at the meeting and if in that background Petitioner chose to attend that meeting it cannot be said that in fact he was not present. I, therefore, feel that the evidence of Pathrikar can be taken as corroborative piece of evidence to the news report which has been duly proved by Bhalariao the Reporter for "Marathwada". The other evidence is of Suresh Kuber (PW 10) at Ex. 31. At the outset it will have to be stated that he is not the Congress worker. Kuber has stated that he attended the meeting where Balasaheb Thackrey criti-

cized Mohammedans. He also criticised V. P. Singh and others for wooing Mohammedans for getting their votes. He castigated Mohammedans and further spoke that Hindus must unite. In the cross-examination, it is suggested that he is the friend of Krishna Dongaonkar, who is the son of Sahebrao Dongaonkar the former M. P. Kuber approached Krishna Dongaonkar and according to Respondent, he spoke what Dongaonkar wanted him to depose before the Court. But the further probe in the cross-examination would show that Kuber has spoken about the speeches delivered by other persons and there is no challenge to that aspect by the Respondent. He has deposed that Babasaheb Bhosale spoke that when he was the Chief Minister of Maharashtra, he had also to wait for 4-5 hours to meet the Prime Minister. He further spoke that if this was the state of the Chief Minister of the State, what could be that of the common man. Another speaker Junnarkar Maharaj tried to describe the similarity between Krishna and Shiwaji Maharaj. The third speaker Kailas Patil spoke that he would get lead for Shivsena candidate in Gangapur Taluka and that he could defeat the Congress candidate of Dongaonkar. I, therefore, feel that the evidence of both Pathrikar and Kuber can well be taken into consideration by way of corroborative pieces of evidence to the reports, which have been duly proved by the petitioner. Even their evidence can be independently considered to prove corrupt practices.

49. Before going to the contents of these speeches, the argument on behalf of the Respondent can be considered and the same is that Respondent attended those meetings at the concluding stage, that he did not hear what Balasaheb Thackrey spoke. The speech of Balasaheb lasted for 10 minutes at Sanskrutik Mandal after he reached there. In support thereof, he has stated that election meetings were organized by the Election Committee at Bombay, that he had no say in the matter, that he was attending those meetings during his election campaign. The aim of the party was to strengthen the party prospects. Thus, he was not directly connected with the election campaign. He also did not get any opportunity to disown the speeches. Now, this part of the story of the Respondent that he attended the meetings late does not ring of truth. While considering the speech of Balasaheb Thackrey in the tape transcription, there is reference to the name of Respondent in his speech and at one stage I am pointed out by the learned advocate for the petitioner from the transcription that there was some voice during the speech of Balasaheb Thackrey. Balasaheb Thackrey spoke that Respondent should pick-up that person who was speaking in loud-tone, that would save Respondent of usage of microphone in the election speeches. Now, this sentence appears practically in the middle part of the speech or rather in the early part of the speech. The presence of the petitioner is to be found in all the reports, more particularly Ex. 19, which is to be relied upon in this case. It is unlikely that when the Supremo of the party addressed the meeting after coming down from Bombay to Aurangabad, the Respondent would abstain from attending the meeting in the initial part. On the other hand, it is manifest that people had gathered long before the meeting

was held and the speech by Balasaheb was given. The Respondent discredits himself when one finds in the pleading, that is, in the written statement, that no such meeting was held and that he did not attend the meeting. Suggestions have also been made in the cross-examination of various witnesses that no such meeting was held and Respondent did not attend the same. Whereas in his own evidence at Ex. 38, the Respondent has stated that he attended the meeting late practically at the concluding stage of the meeting. I feel that the stand taken by the Respondent does not at all appear to be probable, muchless truthful. As indicated when Supremo of the party was coming down from Bombay to a distant place like Aurangabad, only for election meeting for the Respondent, it is unlikely that the Respondent would absent himself from such meeting. I, therefore, reject the stand taken by the Respondent on that count. On the other hand, I feel that the Respondent was present right from the beginning to end and must have heard the entire speech in all its aspects. This meeting was also addressed by former Chief Minister of the State Babasaheb Bhonsale. There is also no suggestion to the witnesses that Respondent arrived late at the meeting.

50. Now, going to the speech, Pashrikar has stated that Balasaheb Thackrey began his speech as 'Hindu Brothers and Sisters', Hindus had no future in the Rule of Rajiv Gandhi, A pro-Hindu Ruler must be returned as the Prime Minister in the Parliamentary Elections. The Pro-Hindu Rule should be returned in the election. Similarly, he also spoke that while casting the votes, Hindus should cast votes with slogans 'Har Har Mahadev'. He also stated that if God Shankara opens his third eye, everything would be turned into ashes. The voters must open their third eye while casting the votes and turn everything into ashes. He further stated that the Hindus must dislodge the Rule which is out to obliterate the Hindus. Hindus must unite and unseat Rajiv Gandhi. Kuber has stated that Thackrey spoke that Dr. Zakariya had given an interview to British Broadcasting Corporation that Muslims in India were ill-treated, their properties were burnt and they were murdered. This cassette was in his possession. Thackrey further spoke that this propaganda by Zakariya who was the rival candidate of Respondent was totally false and misleading. This was obviously with a view to create hatred between Hindus and Mohammedans in the mind of Mohammedans. Kuber has stated that cassette of Lord Krishna was not being telecast although cassettes of Ramayana and Mahabharata were telecast in India. This was the action taken by the V. P. Singh Govt. He posed questions to the spectators as to whether Lord Krishna's cassette should be telecast in India or in Pakistan. The further insinuation in the speech of Thackrey was that V. P. Singh the Prime Minister, after his election went to see Shahi Imam in the mosque, but did not visit any temple. The meeting with Shahi Imam lasted for 2-3 hours and again V. P. Singh came out to say that the talks were incomplete. Balasaheb Thackrey also spoke that one year before this speech one truck was detected wherein ladies were present who were giving slogans "Pakistan Zindabad".

This cannot be tolerated. Muslims must support Indian slogan. He also posed question to Muslims present at the meeting as to whether they were subjected to atrocities as canvassed by Rafiq Zakariya. He also insisted that he approved only Nationalistic Muslims like Captain Azaduddin, and Zakariya should be asked to stop the false propaganda. Balasaheb also spoke that loud-speakers fitted on the mosques should be removed although he had no objections to the prayers being offered at those mosques. He further spoke that Indians who were residing in Kashmir were reported to be refugees. Lastly he spoke that people must give slogans 'Har Har Mahadev' and should recognize party than person for casting votes. He lastly spoke that the Respondent was the Hindu representative whereas the Zakariya was the representative of Muslims. The above speech, if considered in its correct perspective would clearly show that votes were solicited on the ground of religion, and that there was also an insinuation that Muslims are getting most favoured treatment by the Government. This ultimately aimed at creating hatred against Muslims.

51. In the paper Ex. 19 (Maharashtra, dt. 13-5-1991), the same report appears. The title is, "The Fundamentalist Hindu should be the Prime Minister of the Nation". Balasaheb Thackrey spoke that if orthodox Hindu Prime Minister is not elected the Nation would suffer colossal shock, there would be riots, and the army shall have to take over the control of the Government. He therefore, asked the Hindu to vote to save this catastrophic situation and further asked the Hindus to take saffron flag in their hands and to give slogans 'Har Har Mahadev' at the time of casting votes. Thackrey further spoke that Hindu must exercise their right to vote and if B.J.P. candidate is not brought in power that would be a serious danger to the existence of the Government. His speech refers to the Orthodox Hindus. Regarding the wave of Hindutwa, he spoke that this was the breath of Nation and if this breath would stop, the Country would cease to exist and operate. The third eye of Shankara if opened would turn everything into ashes. He has further stated that when he speaks about the Hindutwa he is being prosecuted. In the fourth column of the report, which contains the high-lights of the speech, it would be found that he has further stated that Shivsena members were prosecuted, and their cases are not decided early. He has filed the case in the year 1987 about the removal of loud-speakers from the mosques, the said case is still pending. He has stated that loud-speakers must be brought down although he has no serious objection to the prayers being offered by the Mohammedans. He has further stated that as soon as V. P. Singh became the Prime Minister, he did not visit any temple but went to meet Sh Imam at Delhi. He was with him for three hours. He was thus wooing Imam. It is also to be noticed that Thackrey further spoke that if Shiwaji Maharaj was not the Ruler, Hindus would have been required to go to mosques for offering prayers. Shivsena has infused confidence in the mind of Hindu people and that

is why Hindus can speak with pride that they are Hindus. It would be also seen that in the same speech he has stated that Mavalas who were the soldiers in Maratha Army gave slogans 'Har Har Mahadev' while mounting attack on Mohammedans. The further speech is to the effect that Mohammedans should leave for Pakistan. If they wanted to live in India, they must honour Hindu slogans, but Shivsena would never tolerate any slogan 'Pak Zindabad'. By way of illustration, Thakrey has stated that although the Cine Actor—Deelip Kumar (Mohammedan) was born and brought up in India, he donated one crore rupees to the Hospital in Lahore. He stated that if Deelip Kumar had love for Pakistan, he should go there.

52. Same contents are seen in the speech in the Cassette Ex. 'F'. As indicated, the speech begins with 'Hindu Brothers and Sisters'. In the initial part of the speech, Thackrey has referred to the large crowd present to pay respects to him. He expressed that this was the symbol of Hindu Unity. He was championing Hindutwa and that he had prepared cassette in that behalf. Regarding the cases, he has stated that the Judges were delivering the Judgments about their Shivsena cases immediately, whereas his case about removal of loud-speakers from the mosques lodged in the year 1987 is still pending. Now, if this part of the speech is analysed, it would show that there is a clear attempt to create hatred between the Hindus and the Mohammedans. Regarding Zakeriya, he has stated that in his interview to M.B.C. Zakeriya spoke that Hindus were attacking Muslims in minority, they were being murdered, this was totally false. This is also an insinuation to create hatred between Hindus and Mohammedans.

53. Regarding V. P. Singh, he has stated that before election he was moving in simple dress of Kafni and Pajama, but soon after his election as Prime Minister, he started putting on Achkan and Sherwani and Fur Cap, a dress put on by the Mohammedans. He has further stated that V.P. Singh did not take 'Darshan' of Hindu God in the temple but visited the mosque and met Shahi Imam. As a matter of fact, the Prime Minister of the Nation should call Imam to his house or to the office, but certainly should not go to the mosque. Although this may appear to be innocuous, there is a clear insinuation that Mohammedans were being favoured by the Ruling party, and that Hindus were being neglected. Regarding Hindutwa, he has spoken that this was the breath of the Nation and if that breath would stop the entire Nation would become non-existent. He has further spoken that Christians openly call themselves as Christians, Muslims call them as Muslims, but Hindus are afraid of themselves calling Hindus. Mahabharata and Ramayana telecasts have become very popular and Ramanand Sagar who had produced the cassette on Lord Krishna, could not telecast that cassette because of the restraint of the Government. The problem of Ram Mandir arose, according to the Government, because of Ramayana cassette and if cassette of Lord Krishna is released, the same would create problem of Mathura. He, therefore, questioned as to whether Hindus have no right to see the video cassette of

their Gods in India, and whether such cassettes should be telecast in Muslim Countries, namely, Bangla Desh, Arabasthen or Pakistan. He has also castigated the interview given by Zakeriya about Hindu atrocities on Mohammedans. He has openly spoken that the candidate who should be returned to the Parliament should be a Hindu Fundamentalist (भट्ट) He has further spoken that the electors must vote for Respondent. It can be inferred that this was because the Respondent was Hindu. The long and short of the above speech of Balasaheb Thackrey would clearly show that the speech was given with a clear intention to solicit votes on the ground of religion and also to promote hatred in the mind of Hindus against Mohammedans. If the tenor of the speech is seen, the same would clearly show that Hindus must get into power and that the Muslims who being favoured by the Ruling Party should be brought down. No other inference can be drawn except that this is soliciting votes on the grounds of religion and also promoting hatred between two classes of citizens.

54. The learned advocate for the Respondent has contended that Hindutwa need not be associated with Orthodox Hinduism. He has stated that even if the speech is taken to be speech about Hinduism, the same was not intended to asking voters to vote as Hindus. Now, the Hinduism has been a multi-cornered concept. But all the same, it remains a religion for particular population. Supreme Court In AIR 1966 Supreme Court 1119, in the case of Shastri Yagnapurushadji Vs. Muldas Bhanudas, has considered as to what is meant by Hindu Religion. The relevant extract needs reproduction to understand what is meant by Hindu Religion.

"Although the word 'Hindu' has given rise to a controversy amongst indologists; but the view generally accepted by scholars appears to be that the word 'Hindu' is derived from the river Sindhu otherwise known as Indus which flows from the Punjab. 'That part of the great Aryan race', which immigrated from Central Asia, through the mountain passes into India, settled first in the districts near the river Sindhu, which Persians pronounced as Indus and so the Greeks. In Encyclopaedia of religion and Ethics, Volume VI, has described 'Hinduism' as the title applied to that form of religion which prevails among the vast majority of the present population of the Indian Empire. Dr. Radhakrishnan has observed, 'The Hindu civilization is so called, since its original founder or earliest followers occupied the territory drained by the Sindhu river system corresponding to the North-west Frontier Province and the Punjab. This is recorded in the Rig Veda and scriptures, Shrutis and Samrutis. The Supreme Court felt that it was difficult to define Hindu religion. It does not claim any one prophet, it does not worship any one God, it does not subscribe to any one dogma; it does not believe in any one philosophic concept, it does not follow any one set of religion;

rites or performances; in fact, it does not appear to satisfy the narrow traditional features of any religion or creed. It may broadly be described as a way of life and nothing more. It is a museum of beliefs, a medley of rites, or a mere map, a geographical expression. Dr. Radhakrishnan has stated that Hinduism has steadily absorbed the customs and ideas of people with whom it has come into contact and has thus been able to maintain its supremacy and its youth. It took in its sweep aboriginal tribes, savage and half-civilized people, the cultured Dravidians and the Vedic Aryans. It presents for our investigation a complex congeries of creeds and doctrines which in its gradual accumulation may be compared to the gathering together of the mighty volume of the Ganges, swollen by a continual influx of tributary rivers and rivulets, spreading itself over an ever-increasing area of country, and finally resolving itself into an intricate Delta of tortuous streams and jungly marshes.

Thus the Hindu religion is reflection of the composite character of the Hindus, who are not one people but many. It is based on the idea of universal receptivity. It has ever aimed at accommodating itself to circumstances and has carried on the process of adoption through more than three thousand years. Hindu religion has always been inspired by an endless quest of the mind for truth based on the consciousness that truth has many facets. Truth is one but wise men describe it differently. However, in this diversity of thinking there is universality of ideas that there is only one kind of being and that the matter and mind are not two ultimate substances. Hindu religion is comprehensive and all-pervasive. There is emphatic thinking in Hindu religion that a vast periods of creation, maintenance and dissolution follow each other in endless succession. In the matter of worship of God there is also diversity of thinking in the Hindu religion one believing worship of idols and the other not, but the existence of God with his super-power is acceptable to all the sects of Hindu religion. The main thrust is eradication of corruption and superstition and this gave rise to various sects headed by Buddha, Mahavir, Basava, Gnyaneshwar and Tukaram, Guru Nanak, Davananda and Chaitanya, Ramkrishna and Vivekananda. If we study the teachings of these saints and religious reformers we would notice an amount of divergence in their respective views, but in that divergence there is a kind of subtle indescribable unity which keeps them within the sweep of the broad and progressive Hindu religion. The aim behind all this activity is the release and freedom from the unceasing cycle of birth and rebirths. Moksha or Nirwana, which is the ultimate aim of Hindu religion and philosophy. Broadly speaking, therefore, Hindu re-

ligion aims at salvation, deliverance, realisation of truth, different sects suggest different views, but the ultimate goal of the Hindu religion remains the same, as indicated above."

55. Hindu religion is thus a progressive religion which has absorbed various ideas, various thinking and has thus tried to assimilate in itself all thoughts which were presented by various sects or sages. Tolerance is the feature of Hinduism. In view of above, Jawaharlal Nehru in his address to the convocation of Aligarh Muslim University on January 24, 1948, spoke about Hindu civilization as follows :

"I am proud of India, not only because of her ancient, magnificent heritage but also because of her remarkable capacity to add to it by keeping the doors and windows of her mind and spirit open to fresh and invigorating winds from distant lands. India's strength has been two-fold; her own innate culture which flowered through the ages, and her capacity to draw from other sources and thus add to her own. She was far too strong to be submerged by outside streams, and she was too wise to isolate herself in India's real history and the many political changes which have had little effect on the growth of this variegated and yet essentially unified culture.

I am proud of our inheritance and our ancestors who gave an intellectual and cultural pre-eminence to India. Now do you feel about this past? Do you feel that you are also sharers in it and inheritors of it and, therefore, proud of something that belongs to you as much as to me? Or do you feel alien to it and pass it by without understanding it or feeling that strange thrill, which comes from the realisation that we are the trustees and inheritors of this vast treasure? You are Muslims and I am a Hindu. We may adhere to different religious faiths or even to none; but that does not take away from that cultural inheritance that is yours as much as it is mine."

From the foregoing analysis it is of Hindu religion it would be manifest that Hindu religion remains essentially religion of a civilization geographically situated within the Indian Nation. It cannot, therefore, be called that Hinduism is not a religion. Word Hindutwa would be synonymous with Hinduism and ultimately it would mean that it is a characteristic or a bundle of characteristics which a person inherits from Hindu religion. It is the manifestation of the Hindu civilization, Hindu Society or Hindu religion. It cannot remain as a mere symbol. If at all it is a symbol, it is a symbolic of entire Hindu religion which has widespread ramifications. In that light of the matter, I feel that the arguments suggested by the learned advocates for the Respondent really deserve no consideration. By no stretch of imagination, it can be said that Hindu religion cannot be called a religion. It is essentially a Code of Conduct. Ultimately, every

religion or Dharma prescribes a Code of Conduct, which the followers of that religion have to observe. The mythological books are essentially illustrations of a Code of Conduct, which the followers of that religion should adopt and translate in their own life. As indicated, Hindu religion is a religion and Hindu-twa is Symptomatic of Hindu religion.

56. Hinduism is, therefore, a religion having the leaning towards accommodation. Tolerance is the soul of Hinduism and the history has clearly shown that although Hinduism is endangered on several occasions, still it survived sheerly on the basis of tolerance and accommodation and it still remains the innate faith for Hindus. The idea of blaming the other religion is not to the liking of Hinduism. The Saints have expressed that conversion can well be available but there should not be any compulsion behind it. The learned advocate for the Respondent has urged that even if the speech of Thackray is accepted without prejudice to the right of the Respondent, Hinduism is not a religion and that Balasaheb Thackray throughout did not condemn the Mohammedans who were loyal to India. He only castigated those Mohammedans who were loyal to Pakistan and were interested in running down the image of Hindustan. Although this may be the fact, the Election Law cannot countenance any action on the part of the Returned Candidate of his Agent to solicit votes on the ground of religion.

57. The learned advocate for the Respondent has contended that there is no evidence to show as to what was the exact impression the voters carried. Kuber has indeed deposed that he was impressed by the speech of Balasaheb and he was inspired to vote in favour of Hindus. Now, in this behalf, the Supreme Court has laid down that it is the impression which a voter would carry after hearing the speech. In AIR 1976 Supreme Court 1599, in the case of D. Venkata Reddy Vs. R. Sultan and Ors., the Supreme Court was required to consider the impact of a similar speech. The same can be reproduced as follows from Paragraph 35 of the said judgment.

"Everywhere Muslims are given importance by the Congress and the Congress is running the future of Hindus. In every election Muslims always vote for a Muslims candidate. When that is the case, what is there wrong if all Hindus vote for me who is a Hindu candidate? Muslims have committed many atrocities and still the Congress is giving importance to the Muslims. For example, Mr. Baraktullah Khan is made Chief Minister in Rajasthan and Mr. Mohd. Ismail who is not well known in Andhra Pradesh is made the President of the Congress in the State.

In Hyderabad Muslims are given too much importance. The said Ismail in order to give representation and importance to his Muslims religion has given in our State hereby 20 seats to Muslims. This is an act of axe to the Hindus. Is it not atrocities of Pakistan, horrible incidents of

Bangla Dosh, murders of Nawakhali an insult to the Hindu race and religion for ever?"

Commenting on the speech, the Supreme Court observed that

"A perusal of the recitals of the pamphlet would clearly reveal the fact that it is couched in a most offensive language which is bound not only to hurt and injure the sentiments of the Muslims of the constituency but has also the effect of inciting one community towards another on purely communal grounds. The allegations made in the pamphlet are sufficient to alienate not only the sympathy of the Muslims community completely but also of a large number of Hindus who have a secular outlook which is the very fundamental feature of our Constitutional set up."

58. In AIR 1965 Supreme Court 141, in the case of Kultar Singh Vs. Mukhtiar Singh, it is observed that if a vote is solicited by a Sikh candidate, stating that he is Sikh and that his rival who is Sikh is heretic, would also amount to corrupt practice. On facts, the Court did not believe that there was commission of any corrupt practice. In the same Ruling, it is also observed that the Court should put fair and reasonable construction on the speeches or the documents or pamphlets. Similarly, the effect of the speech or pamphlet on the mind of ordinary voter, who has attended the meetings, has also to be considered by the Court. In AIR 1976 Supreme Court 1599, in the case D. Venkata Reddy Vs. R. Sultan and Ors., it is held that even single corrupt practice is enough to render the election void. In (1980) 1 Supreme Court Cases 398, in the case of Ibrahim Sulaiman. Sait Vs. M. C. Mohammed And Anrs. it is observed by the Supreme Court that when there is an attempt to promote feelings of enmity or hatred between two classes of citizens, the corrupt practice should be deemed to have been established, although the speech has been made in reference to a political party operating on communal lines. In this case, the congress party has been blamed but in view of the above ratio, the Supreme Court has held that it is the voter that has to be seen and not the party. If the voter gathers from the speech that canvassing is on the basis of religion and aimed at promoting hatred between two classes of citizens, the corrupt practice shall be deemed to have been committed by the party.

59. It would be thus obvious that the above speech by Balasaheb Thackray clearly intended to solicit votes on the ground of religion. The main thrust was to provoke the Hindus against Mohammedans and further to direct the Hindus vote in favour of a Hindu candidate. As indicated, speech begins with Brothers and Sisters. With such open propaganda in favour of Hindus it cannot lie in the mouth of Respondent to say that this speech was never intended for committing any corrupt practice. It must also be stated that Respondent did not disown the speech by publishing the same in the paper media. Had he really disagreed with the

speech of Balasaheb Thackray, he could have very well approached the press and published in the paper that he was not subscribing to the speech of Balasaheb Thackrey.

60. Now, coming to the first speech by Manohar Joshi, in the evening hours of 6-5-1991, at Bidkin, there is examined Press Reporter—Umesh Deshpande at Ex. 27 of "Deogiri Tarun Bharat" paper. Umesh Deshpande covered both the meetings at Bidkin and T. V. Centre, Aurangabad. The paper reports are duly proved at Exhs. 27 and 28. (PW 12) Pandharinath Gonde has photographed the persons present on the dais. The presence of the Respondent is found in both these meetings. Nanhekhhan Pathan and Ramchandra Narwade have been examined to prove the contents of the speech at Exhs. 25 and 29, respectively. They were spectators at the first meeting.

61. Now, turning to the meeting of Manohar Joshi at Bidkin (PW 7) Umesh Deshpande at Ex. 26 has deposed that he covered this meeting at Bidkin. He is the Reporter of Deogiri Tarun Bharat news paper. He had covered the meeting at Bidkin vide report Ex. 27. He has stated that he recorded the speech, prepared the report and submitted the same for publication. In the cross-examination, he has stated that the original notes are destroyed. As indicated in the foregoing paragraphs, the Reporter does not retain the original written notes for indefinite period and if they are destroyed, the paper report cannot be discarded on that count. Deshpande has deposed that his report has been properly published in the news paper Ex. 27. Incidentally he has also covered the meeting of Manohar Joshi in the same night held at T. V. Centre, Aurangabad, and the report thereof is to be found at Ex. 28. Following the ratio of the Supreme Court, the petitioner has examined the person who heard and recorded the speech and, therefore, the contents of the report can well be read.

62. (PW 6) Nanhekhhan Pathan at Ex. 25 has deposed that he attended the meeting of Manohar Joshi at Bidkin. At the out set it must be observed that Manohar Joshi is also the acknowledged leader of Shivsena party. Respondent has stated that he is Shivasasinik and that he is a member of Shivsena party. Manohar Joshi spoke that there was a 85% population of Hindus and that if they wanted to live with self-respect, they must vote for Shivsena-B.J.P. alliance candidate i.e. Respondent. He has further stated that Manohar Joshi also spoke that Government was favouring minority community i.e. Muslims and that if Hindus wanted to live in India they must elect B.J.P.—Shivsena Alliance candidate. There were three waves, first wave of unemployment, second wave of Janata and third wave after the assassination of Indira Gandhi. Now, there is a fourth wave of Ram-Janmabhoomi. Shivsena party was committed to Ram Mandir and they should, therefore, vote Shivsena—B.J.P. candidate i.e. Respondent. The voters must bring in power real Ram-Rajya. He spoke that voters must show that Hindutwa was the real Nationalism, according to Manohar Joshi. He also stated that if Imam Bukhari could issue directives, why the Hindus should not issue such directives.

This was in relation to Hindutwa. (PW)—Pathan felt that this speech was intended to solicit votes on the ground of religion and also intended to promote hatred between Hindus and Mohammedans. In the cross-examination, he has indeed stated that there was no communal strife at Bidkin on account of the speech at Bidkin. Before stepping into the witness box, he had contacted Sahebrao. He had also obtained the news paper, read the same before coming to the Court, obviously with a view to refresh his memory. He has also read the news paper and from the papers he gathered that Hindus have been asked to depart from Kashmir. He himself being committed to secularism felt that this was not proper. He has denied that he did not attend the meeting of Manohar Joshi. Now, so far as Pathan is concerned, it is not shown that he belongs to congress-party or that he has been canvassing on behalf of the Congress. There is no reason as to why Pathan should depose against the Respondent.

63. Ramchandra Narwade at Ex. 29 also heard the speech of Manohar Joshi. He has given the synopsis of what has been spoken by Manohar Joshi. It is practically the same as narrated by Nanhekhhan Pathan. In the cross-examination, he has stated that he belongs to congress-party, but he did not meet the petitioner after the above meeting. He admits that Nanhekhhan was with him all along at Bidkin. Even if the evidence of Narwade is taken to be in evidence of an interested witness, the evidence of Pathan can well be accepted in support of the claim of the petitioner. Both these witnesses corroborate to what has been recorded in regard to the speech of Manohar Joshi. Ex. 27 has thus been duly proved by the petitioner. The photograph of the meeting is to be found at pg. 1 and the report of the meeting is to be found on Pg. 2. In this regard, the evidence of Pandharinath Gonde, at Ex. 36, is also relevant. He had also covered both the meetings of Manohar Joshi. The photographs at Exhs. 27 and 28 have been taken by him. He could not trace the negatives in spite of search, but he has admitted that both the photographs at Exhs. 27 and 28 were taken by him. In both these photographs Respondent can well be seen. The name of Pandharinath Gonde is also reported below the photograph. While scrutinizing the report at Ex. 27 it would be clearly found that Manohar Joshi did speak that if 85 per cent of Population wanted to live with self-respect and if the Government was wooing the minority community, the Shivsena—B.J.P. should be returned to the Parliament. This itself would mean that votes were solicited on the ground of religion. There is also an insinuation that Hindus were being looked down by the Ruling party. Joshi further spoke that there was wave of Shriram. The message of Ram temple construction has reached every village. The Shivsena was committed to construct Ram Mandir. The people at large were prepared to construct the temple and hence the party is committed to the Ram Temple issue and voters therefore, should bring in power the Shivsena—B.J.P. candidate. He further stated that Hindutwa was the only Nationalism and this should be proved by the voters by returning the Shivsena party candidate. Now, in this report, there is a clear reference to Respondent being present at the meeting. This speech would clearly show that there is a clear

attempt to solicit the votes on the ground of religion. There is also clear attempt to criticize the minorities, who were being favoured by the Government and hence in the evidence of Nanhekhani Pathan and also in the report Ex. 27 one can notice clearly that there is an appeal for votes on the ground of religion. There is also an attempt to create hatred between Hindus and Mohammedans.

64. Now, turning to the meeting at T. V. Centre, the petitioner has again relied on the report of the Reporter—Deshpande. As indicated (PW 7) Deshpande covered that meeting, the report is at Ex. 28. One Sopanrao Phuse has been examined at Ex. 20. He is the Congress worker. He has stated he had attended the meeting at T.V. centre. Manohar Joshi stated that Congress would not provide stable Government because of the factions in the party. There was also sympathy wave for Ram throughout India. He gave slogans, 'Jai—Bhawani Jai Shivraya'. He also spoke that Hindus must vote for Hindus and Shivsena would look after the Hindus. In the cross-examination, he has stated that he is the Congress party office bearer. He has denied that he did not attend the meeting. Now, although the evidence of Phuse may be treated as a tainted evidence, he being the Congress worker, the same cannot be discharged in toto. He corroborates the report of Deshpande in newspaper Ex. 28. Phuse in the cross-examination admits that he did not find any change in the matter of casting votes in favour of particular party. Now, this report at Ex. 28 was spread over in three columns, but the petitioner has served the copy of first column to the Respondent. The learned advocate for the petitioner has contended that he only relies on column no. 1 of this report at Ex. 28. Hence it would be proper to refer only on first column and not other columns. Now, in the first column, it is stated that the Shivsena—B.J.P. candidate was only committed to Hindutwa. There was also wave of Hindutwa throughout the nation. The large population was mindful of Shivsena and nothing else. This would also show that the main thrust of the speech was for Hindutwa and people coming under the banner of Hindutwa.

65. Now, turning to the story of the Respondent, he has stated that he attended both these meetings late. He was detained at Bidkin for about one hour after the meeting of Manohar Joshi. He, therefore, went late at T.V. Centre, Aurangabad. Now, from the evidence of Phuse, it would be seen that the meeting was held late at night. It extended even beyond mid-night. Deshpande has also deposed to that effect. As indicated Respondent has taken different stand at different stages. In the written statement, Respondent claims to have not attended any such meeting, in the evidence he has stated that he had attended these meetings late. As stated above, it is unlikely that the Respondent would not be present at the election meetings where the senior

party workers were present. He cannot escape this responsibility by stating that he was busy with other election campaign. As a matter of fact, these meetings were organized for his benefit. It is equally unlikely that he would not be consulted before fixing these meetings. Merely because the Respondent says that Election Committee organized these meetings, that statement cannot be taken as its face value. On the other hand, it is inevitable that Respondent would attend such meetings, because ultimately, they are intended to strengthen his chances of election. The stand taken by the Respondent that he was late at both the meetings does not ring of truth. Even in the cross-examination of the witnesses for the petitioner, there is no suggestion that Respondent came late each meeting at its concluding stage.

66. The sum and substance of the aforesaid discussion would clearly show that the meetings referred above were meant for soliciting votes on the ground of religion, they also contained insinuation against Mohammedans, this was with a view to create hatred, between Hindu and Mohammedans. Hindutwa is being emphasized as Nationalism Voters are directed to carry saffron flags. Saffron colour is symptomatic of Hindu Gods and Temples. The petitioner has, therefore, proved that the Respondent is responsible for the speeches, which contain corrupt practices as envisaged under Sections 123 (3) and (3A) of the R. P. Act. Even if paper reports, cassette transcription or oral evidence are concerned in isolation for each other, they do establish the alleged corrupt practices.

67. The learned advocate for the Respondent has contended that the petitioner has failed to prove that speeches effected materially the election. I feel that under the above provisions the corrupt practices have to be taken as they are. The influence in the mind of voter is the matter to be construed and analysed by the Courts. In this behalf, there is a clear appeal on the ground of religion. There is also a clear attempt to create hatred between Hindus and Mohammedans and hence, I feel that the petition has to be allowed. Looking to the volume of evidence led by the petitioner, he deserves to be awarded costs of Rs. 5,000.

68. Accordingly, petition is allowed. The election of Respondent from 33 Aurangabad Lok Sabha Parliamentary Constituency is hereby declared as null and void. Respondent shall pay or deposit in the court Rs. 5,000 by way of costs to the petitioner. The Petitioner shall be entitled to refund of his security deposit. Office to take action under Section 103 of the R. P. Act. The copies of this judgment shall be forwarded to the Election Commissioner and the Speaker of Lok Sabha.

Verified by
Sd -

True Copy